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Separate paging is given to this Part in order that it may be filed
as a separate compilation

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 13th January, 1965: —

Issue No.	No. and Date	Issued by	Subject
6	S.O. 168, dated 5th January, 1965.	Central Board of Direct Taxes.	Corrigendum to S.O. 969, dated the 26th March, 1962.
7	S.O. 169, dated 5th January, 1965.	Ditto.	The Income-tax (Amendment) Rules, 1965.
8	S.O. 170, dated 7th January, 1965.	Ministry of Law	Corrigendum to S.O. 4371, dated the 21st December, 1964.
9	S.O. 171, dated 8th January, 1965.	Do.	Declaration containing the name of the candidate elected to fill the vacancy in the Council of States.
10	S.O. 236, dated 12th January, 1965.	Ministry of Commerce.	Declaration that no person shall enter into any contract for the sale or purchase of cotton pods (by whatever name called), save with the permission of the Central Government.
11	S.O. 237, dated, 13th January, 1965.	Election Commission, India.	Calling upon the Bangalore parliamentary constituency to elect before the 20th February, 1965 on a vacancy occurred by reason of the death of Shri H. C. Dasappa.
	S.O. 238, dated 13th January, 1965.	Ditto.	Appointing dates etc. for the bye-election referred to in S.O. 237 above.

Issue No.	No. and Date	Issued by	Subject
	S.O. 239, dated 13th January, 1965.	Election Commission, India.	Fixation of hours for the bye-election referred to in S.O. 237 above.
12	S.O. 240, dated 13th January, 1965.	Ministry of Education.	The International Copyright (First Amendment) Order, 1965.
	S.O. 241, dated 13th January, 1965.	Do.	The International Copyright Second Amendment) Order, 1965.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 11th January 1965

S.O. 250.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby directs that the Administrator of Pondicherry shall exercise the power to make rules in regard to the following matters, namely:—

- (i) The method of recruitment to the Central Civil Services and Posts Class II, Class III and Class IV under his administrative control in connection with the affairs of the Union Territory;
- (ii) the qualifications necessary for appointment to such services and posts; and
- (iii) the conditions of service of persons appointed to such services and posts for the purposes of probation, confirmation, seniority and promotion.

Provided that the powers conferred by this Notification shall not be exercisable in respect of such services and posts as are borne on a cadre common to two or more Union Territories.

[No. F. 5/4/65-GP.]

V. P. MALHOTRA, Dy. Secy.

New Delhi, the 16th January 1965

S.O. 251.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Lieutenant Governor of the Union territory of Goa, Daman and Diu shall, subject to the control of the President and until further orders, exercise the powers and discharge the functions of the Central Government under sub-section (4) of section 12, section 16 and section 17 of the Cinematograph Act, 1952 (37 of 1952) within the Union territory of Goa, Daman and Diu.

[No. GI/GOA/19/28/63-UTL.]

ORDER

New Delhi, the 18th January 1965

S.O. 252.—Whereas stamps of certain denominations as prescribed under Provincial Portaria No. 539, dated the 29th August, 1927, are not available;

Now, therefore, in pursuance of article 3 of the Portaria aforesaid and all other powers hereunto enabling, the Central Government hereby authorises the use of non-judicial Indian stamps of the requisite value in the place of the stamps referred to above for payment of stamp duty in the Union territory of Dadra and Nagar Haveli.

[No. F. 18/3/64-UTL.]

K. R. PRABHU, Dy. Secy.

New Delhi, the 18th January 1965

S.O. 253.—In pursuance of the Explanation to section 25 of the Negotiable Instruments Act, 1881 (26 of 1881), the Central Government hereby declares Thursday, the 28th January, 1965, to be public holiday throughout India in commemoration of the centennial anniversary of the birthday of Lala Lajpatrai.

[No. 20/39/64-Pub.I.]

FATEH SINGH, Jt. Secy.

New Delhi-11, the 18th January, 1965

S.O. 254.—In exercise of the powers conferred by entry 3(c) of Schedule I annexed to the Ministry of Home Affairs, Notification No. 15/13/59(V)-P.IV dated the 13th July, 1962 (G.S.R. 991 published in the Gazette of India Part II, Section 3, Sub-section (ii) dated the 28th July, 1962), the Central Government is pleased to specify Rajkumaries Indu Kumari and Pavan Kumari daughters of Raja Dalip Singh of Dharni, for the purpose of that entry and directs that the exemption shall be valid in respect of one 12 bore gun, one rifle and one pistol/revolver each.

[No. 16/1/65-P.IV.]

G. L. BAILUR, under Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 6th January 1965

S.O. 255.—Whereas Shri Hamidul Ansari Ghazi has been nominated under clause (i) of section 4 of the Haj Committee Act, 1959 (51 of 1959), by the State Government of Maharashtra, in the vacancy caused by the death of Shri Maulana Hakim Azami, to represent that State in the Haj Committee constituted under that section;

Now, therefore, in pursuance of sub-section (2) of section 4 of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of External Affairs No. MII-1181 (26)/63, dated the 25th May, 1964, namely:—

In the said notification, in the entry against serial No. 12. for the letters and words "Shri Maulana Hakim Azami", the letters and words "Shri Hamidul Ansari Ghazi" shall be substituted.

[No. MII-1181(26)/63.]

V. A. KIDWAI, Dy. Secy.

New Delhi, the 13th January, 1965

S.O. 256.—In pursuance of clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri Santi Kumar Sanum, Assistant in the Embassy of India, Tananarive, to perform the duties of a Consular Agent with effect from 2nd January, 1965.

[No. F. T. 4330/1/65.]

Dy. Secy. and Chief Passport Officer.

V. A. KIDWAI,

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 13th January, 1965

S.O. 257.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf, the Central Board of Direct Taxes hereby makes the following further

amendments in the Schedule appended to its Notification S.O. 1621 (No. 3 Income-tax, dated 11th May 1964), dated 16th May 1964, namely:—

In the said Schedule against Range I, Lucknow, Range-II Lucknow, Range-I, Kanpur, Range-II, Kanpur and Range-III, Kanpur, the following entries shall be substituted, namely:—

Range-I, Lucknow.

1. Project Circle, Lucknow.
2. A, B and E Ward of Lucknow Circle.
3. Sitapur.
4. Special Investigation Circle, Lucknow.
5. Salary Circle, Lucknow.

Range-II, Lucknow.

1. C, D and A(i) Wards of Lucknow.
2. Special Survey Circle, Lucknow.
3. Gonda.
4. Gorakhpur.
5. Faizabad.
6. Estate Duty-cum-Income-tax Circle, Lucknow.

Kanpur I.

1. District I, Kanpur.
2. Salary Circle, Kanpur.
3. Project Circle, Kanpur.
4. Jhansi.

Kanpur II.

1. District II, Kanpur.
2. Special Survey Circle, Kanpur.
3. Central Circle I, Kanpur.
4. Central Circle II, Kanpur.
5. Etawah.
6. Estate Duty-cum-Income-tax Circle, Kanpur.

Kanpur III.

1. Special Investigation Circle, Kanpur.
2. Fatehgarh.
3. Banda.
4. District III, Kanpur.

This notification shall take effect from 20th January, 1965.

Explanatory Note.

The amendments to the existing Schedule have become necessary on account of redistribution of work amongst the Appellate Assistant Commissioners of Income-tax, Kanpur and creation of additional Circles in the Commissioner's charge.

(This note does not form part of the notification but is intended to be merely clarificatory).

[No. 5 (F. No. 50/15/63-ITJ).]

T. N. PANDEY, Under Secy.

MINISTRY OF COMMERCE

New Delhi, the 12th January 1965

S.O. 258.—In exercise of the powers conferred under Section 3 of the Textiles Committee Act, 1963 (No. 41 of 1963), the Central Government hereby makes the following further amendments in the notification S.O. 2914, published in the Gazette of India Extraordinary, Part II, Section 3, Sub-Section (ii) dated the 22nd August, 1964, as amended by Notification dated the 5th January, 1965 namely:—

After the existing serial No. 33, the following entries may be made:—

34. The Director,
Ahmedabad Textile Industry's Research
Association,
AHMEDABAD-9.

35. The Director,
Bombay Textile Research Association,
Ghatkopar,
BOMBAY-77.
36. The Director,
South India Textile Research Association,
Aerodrome Post,
COIMBATORE-14.

[No. 25(38)Tex(A)/63.]

B. K. VARMA, Under Secy.

MINISTRY OF PETROLEUM & CHEMICALS*New Delhi, the 12th January 1965*

S.O. 259.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Kanpur in Uttar Pradesh State, a pipeline should be laid by the Indian Oil Corporation Limited and that for the purpose of laying such a pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the competent authority at 7/166 Swarup Nagar, Kanpur. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE**STATE UTTAR PRADESH****TAHSIL CHAIL****DISTRICT ALLAHABAD**

Village	Survey No.	Ex B-B-B
Mirapur	47	0 4 0

[No. 31/50/63-ONG.]

P. P. GUPTA, Under Secy.

MINISTRY OF STEEL & MINES**(Department of Iron & Steel)***New Delhi, the 11th January 1965*

S.O. 260/AP/84/ESS.COMMIRON & STEEL/15(1).—The following notification issued by the Iron and Steel Controller under Sub-clause 1 of Clause 15 of the Iron and Steel (Control) Order, 1956 is published for general information:—

"NOTIFICATION

In exercise of the powers conferred by Sub-clause (1) of Clause 15 of the Iron & Steel (Control) Order, 1956, as amended from time to time with the approval of the Central Government, the Iron and Steel Controller notifies the following addendum to the notification No. S.O. 2249-ESS.COMM/Iron & Steel/15(1) and

27(1) dated 18th October 1958 published in Part II Section 3(i) of the Gazette of India dated 1st November 1958:—

ADDENDUM

Appendix I—Extras list

T ... Miscellaneous

Extras on all Steel.

Item II

Extra
rate per M/Ton

Aluminium/Silicon Killed Steel ... Rs. 44.29 nP.

The above addendum should be deemed to have taken effect from the date of the publication of this notification in the Gazette of India.

NAGENDRA BHADUR,
Iron and Steel Controller."

[No. SC(C)-2(25)/64.]

A. N. RAJAGOPALAN, Under Secy.

(Department of Mines & Metals)

New Delhi, the 12th January 1965

S.O. 261.—In exercise of the powers conferred by sub-sections (2) and (4) of section 17 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government, after consultation with the Government of the State of Orissa, hereby—

- (i) declares that the Central Government proposes to undertake prospecting and mining operations in respect of iron ore in the State of Orissa in the area specified in the Schedule hereto annexed; and
- (ii) declares that no prospecting licence or mining lease shall be granted in respect of any land specified in the said Schedule.

SCHEDULE

Sl. No.	Name of village and district	Extent of area	Description of area
1	2	3	4
1	Village Murgabera District Keonjhar	2590.40 acres.	On the North by the common boundary of Singhbhum district and Keonjhar District. On the South by the northern boundary of the area of 2340.20 acres mentioned against Serial No. 2 below. On the East by the Western boundary of Messrs Tata Iron & Steel Company Limited (Katamati Block) and a straight line running about 9600 ft. in length making an internal angle of 115° with the southern boundary meeting the south-eastern boundary or the area at a distance of about 800 ft. apart from Betlata Nala. On the West by a straight line touching the eastern boundary of Messrs Bird and Company's 13.20 square miles leased area to a length of 8184 feet and thence by an internal angle of 116° along the northern boundary of the 25 square miles leased area of United Steel corporation

- 2 Villages : Thakurani and Soya- 2340.20
bali District Keonjhar. acres.

of Asia Limited (Bird & Co.) to a length of 5280 feet and thence by an external angle of 70° by a straight line 8184 feet in length touching the north-western point of the area mentioned against Serial No. 2 below

On the North by the southern boundary of the area mentioned against Serial No. 1 above.

On the South by the Nala to a length of 4752 feet where it touches the forest line thence through the Reserved Forest to a length of 2640 feet touching against the forest line and thence along that line to a length of 4752 feet where it touches the southern boundary of the 25 square miles leased area of the United Steel Corporation of Asia Limited (Bird & Company).

On the East by the forest line and thereby a line 3200 feet in length meeting the south-eastern boundary of the area at the Nala from where the southern boundary begins

On the West by a straight line touching the State Reserved Forest to a length of 1056 feet and thence the eastern boundary of the 25 square miles leased area of the United Steel Corporation of Asia Limited (Bird and Company) and thence by an external angle of 113° with the southern boundary of the aforesaid leased area to a length of 2376 feet where it touches the southern boundary.

[No. 11(18)/63-MII.]

H. S. SAHNI, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

Ports

New Delhi, the 14th January 1965

S.O. 262.—In exercise of the powers conferred by section 18 of the Calcutta Port Act, 1890 (Bengal Act 3 of 1890), the Central Government is pleased to authorise the Commissioners for the port of Calcutta to raise on the 27th January, 1965 a debenture loan of Rs. 1 crore (Rupees one crore), payable on the 27th January, 1977.

[No. 9-PG(89)/64.]

R. RANGARAJAN, Under Secy.

MINISTRY OF CIVIL AVIATION

New Delhi, the 14th January 1965

S.O. 263.—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953) and in supersession of all previous notifications and orders, the Central Government hereby directs that with effect from 15th January 1965 Air India Corporation shall consist of the following members namely,

1. Shri J. R. D. Tata.
2. Shri V. Shankar, Chairman, Indian Airlines Corporation.

3. Shri B. R. Patel, General Manager, Air-India.
4. Shri V. T. Dehejia, Secretary, Ministry of Finance (Department of Expenditure).
5. Air Marshall Arjan Singh, Chief of Air Staff.
6. Shri S. R. Vasavada.
7. Shri M. A. Chidambaram.
8. Shri M. L. Khaitan.
9. Shri G. L. Mehta

and appoints Shri J. R. D. Tata, as the Chairman of the said Corporation.

[No. 3-CA(16)/64-I.]

S.O. 264.—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953) and in supersession of all previous notifications and orders the Central Government hereby directs that with effect from 15th January 1965, the Indian Airlines Corporation shall consist of the following members, namely,

1. Shri V. Shankar, Secretary, Ministry of Civil Aviation.
2. Shri J. R. D. Tata, Chairman, Air-India.
3. Shri J. S. Parakh, General Manager, Indian Airlines.
4. Shri V. T. Dehejia, Secretary, Ministry of Finance (Department of Expenditure).
5. Air Marshall Arjan Singh, Chief of Air Staff.
6. Shri S. R. Vasavada.
7. Shri M. L. Khaitan.
8. Shri M. A. Chidambaram.
9. Shri G. L. Mehta

and appoints Shri V. Shankar as the Chairman of the said Corporation.

[No. 3-CA(16)/64-II.]

V. SHANKAR, Secy.

MINISTRY OF COMMUNITY DEVELOPMENT & COOPERATION

(Department of Cooperation)

New Delhi, the 13th January, 1965

S.O. 265.—In exercise of the powers conferred by Section 5B of the Multi-Unit Cooperative Societies Act, 1942 (6 of 1942), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Community Development and Cooperation (Department of Cooperation), No. S.O. 1593, dated the 28th June, 1961, published at page 1555 of Part II Section 3(ii) of the Gazette of India of the 8th July, 1961, namely:—

In the said notification against Serial No. 2 for the entry "Shri G. Chandrasekharan" the entry "Shri M. P. Carlappa" shall be substituted.

[No. 3-14/64-CT.]

A. C. BANDOPADHYAY, Dy. Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 14th January, 1965

S.O. 266.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government

hereby makes the following amendments to the pepper Grading and Marking Rules, 1961, the same having been previously published as required by the said section, namely:—

1. These rules may be called the Pepper Grading and Marking (Second Amendment) Rules, 1964.

2. In the Pepper Grading and Marking Rules, 1961—

(i) for Schedule III, the following Schedule shall be substituted, namely:—

"SCHEDULE III

(See rules 3 and 4)

Grade designations and definition of quality of garbled 'Light Black Pepper'

Grade designation	Extraneous matter* not exceeding (per cent)	Pin-heads not exceeding (per cent)	General characteristic
1	2	3	4
GL Grade Special	2**	—	Shall be the dried berries of <i>Piper nigrum</i> grown in South India, dark brown to dark black in colour and garbled. They shall be well dried and free from mould or insects."
GL Grade 1	4	5	
GL Grade 2	6	10	

*This comprises dust, chaff, pickings and other foreign matter.

**Pinheads will be regarded as extraneous matter."

(ii) in Schedule IV, in column 2, for the figure '3', the figure '6' shall be substituted.

[No. F. 17-3/63-AM.]

SANTOKH SINGH, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 13th January, 1965

S.O. 267.—Whereas the—

- (a) Travancore Government;
- (b) Travancore Public Service Commission;
- (c) Cochin Government;
- (d) Cochin Public Service Commission;
- (e) Travancore-Cochin Government;
- (f) Travancore-Cochin Public Service Commission;

being the authorities recognised by the erstwhile Government of Travancore, Cochin, Travancore-Cochin for the purpose of granting qualifications in general nursing and midwifery;

And whereas the said authorities grant the following qualifications in general nursing and midwifery:—

Qualifications in General Nursing and Midwifery granted by:

- (a) Travancore Government;
- (b) Travancore Public Service Commission;
- (c) Cochin Government;

- (d) Cochin Public Service Commission;
- (e) Travancore-Cochin Government;
- (f) Travancore-Cochin Public Service Commission;

And whereas the said authorities had applied to the Council to have such qualifications recognised;

And whereas the Council by a resolution dated the 2nd May, 1963, has declared that the said qualifications when granted on or before the 31st December, 1953 shall be recognised qualifications for the purposes of the said Act;

Now, therefore, in pursuance of the provisions of sub-section (2) of section 10, read with sub-section (2) of Section 15, of the Indian Nursing Council Act, 1947 (48 of 1947), the Central Government hereby makes the following further amendments in the Schedule to the said Act, namely:—

"1. In part I of the said Schedule,

(a) under the heading "A-General Nursing", for entries 39 and 40, the following entries shall be substituted, namely:—

"39. The Gujarat Nursing Council.

- | | |
|--|--|
| 40. (a) Travancore Government; | } when granted on or before the 31st December, 1953. |
| (b) Travancore Public Service Commission; | |
| (c) Cochin Government; | |
| (d) Cochin Public Service Commission; | |
| (e) Travancore-Cochin Government; | |
| (f) Travancore-Cochin Public Service Commission; | |

(b) Under the heading "B.—Midwifery",

(i) for entries 15 and 16, the following entries shall be substituted, namely:—

"15. The Maharashtra Nursing Council (When granted on or after the 15th February, 1962).

- | | |
|--|--|
| 16. (a) Travancore Government; | } when granted on or before the 31st December, 1953. |
| (b) Travancore Public Service Commission; | |
| (c) Cochin Government; | |
| (d) Cochin Public Service Commission; | |
| (e) Travancore-Cochin Government; | |
| (f) Travancore-Cochin Public Service Commission; | |

(ii) after entry, 16, the following entry shall be inserted, namely:—

"17. The Gujarat Nursing Council".

[No. F.27-46/63-MPT.]

S.O. 268.—The following declaration made by a resolution passed at a meeting of the Indian Nursing Council held on the 2nd May, 1963, under section 10 of the Indian Nursing Council Act, 1947 (48 of 1947) is hereby published, as required by sub-section (1) of section 15 of the said Act, namely:—

Whereas the—

- (a) Travancore Government;
- (b) Travancore Public Service Commission;
- (c) Cochin Government;
- (d) Cochin Public Service Commission;
- (e) Travancore-Cochin Government;
- (f) Travancore-Cochin Public Service Commission;

being the authorities recognised by the erstwhile Government of Travancore, Cochin, Travancore-Cochin for the purpose of granting qualifications in general nursing and midwifery have applied to the Indian Nursing Council constituted under the Indian Nursing Council Act, 1947 (48 of 1947) that the certificates granted by them in general nursing and midwifery be recognised for the purpose of the said Act;

Now, the Council, at its meeting held on the 2nd May, 1963 for the said purpose resolved that the following qualifications, when granted on or before the 31st

December, 1953 shall be recognised qualifications for the purpose of the said Act, namely:—

Qualifications in general nursing and midwifery granted by:

- (a) Travancore Government;
- (b) Travancore Public Service Commission;
- (c) Cochin Government;
- (d) Cochin Public Service Commission;
- (e) Travancore-Cochin Government.
- (f) Travancore-Cochin Public Service Commission.

[No. F.27-48/63-MPT(A).]

B. B. L. BHARADWAJ, Under Secy.

शिक्षा मंत्रालय

नई दिल्ली, १४ जनवरी, १९६५

अधिसूचना

का० आ० 269.—हिन्दी साहित्य सम्मेलन अधिनियम, १९६२ (१९६२ का १३) की धारा १३ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, शिक्षा मंत्रालय, भारत सरकार की अधिसूचना का० आ० ६३ ता० २१ दिसम्बर, १९६३ में वर्णित कालावधि के अवसान की तारीख से छः मास की अपर कालावधि को ऐसी कालावधि के रूप में एतद्द्वारा उल्लिखित करती है जिस के अन्दर प्रथम शासी निकाय धारा १२ के अधीन बनाये गये नियमों के उपबन्धों के अनुसार शासी निकाय के लिए निर्वाचन करने के वास्ते प्रबन्ध करेगा और ऐसे अपर उपाय करेगा जैसे अपर उल्लिखित कालावधि के अन्दर उस के सम्यक् गठन के लिए आवश्यक हैं।

[संख्या एफ० १९-५५/६२-एच०१]

पी० एन० धीर,

उपसचिव।

MINISTRY OF EDUCATION

New Delhi, the 14th January 1965

S.O. 270.—In exercise of the powers conferred by section 13 of the Hindi Sahitya Sammelan Act, 1962 (13 of 1962), the Central Government hereby specifies a further period of six months from the date of expiry of the period mentioned in the notification of the Government of India in the Ministry of Education S.O. 63, dated the 21st December, 1963 as the period within which the first Governing Body shall arrange to hold elections to the Governing Body in accordance with the provisions of the rules made under section 12 and take such further steps as may be necessary for its due constitution within the period specified above.

[No. F. 19-55/62-H.1.]

P. N. DHIR, Dy. Secy

(Department of Education)**ARCHAEOLOGY***New Delhi, the 12th January 1965*

S.O. 271.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

State	District	Tahsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Jammu and Kashmir.	Srinagar	Srinagar	Pandrethan	Pandrethan temple together with adjacent land comprised in survey plot No. 89.	Survey plot No. 89.	3 Kanals and 12 marlas.	North:—Survey plot No. 72. East:—Survey plot No. 88/1. South:—Survey plot No. 95. West:—Survey plot Nos. 80, 81 and 83.	Government (under possession of Dharmarth Trust).	Under worship.

[No. F. 4-1/65-C1.]

S. J. NARSIAN,
Assistant Educational Adviser.

MINISTRY OF INDUSTRY AND SUPPLY

(Department of Industry)

ORDER

New Delhi, the 16th January 1965

S.O. 272/IDRA/18G/65.—In exercise of the powers conferred by Section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Cement Control Order, 1961, namely:—

- (1) This Order may be called the Cement Control (Amendment) Order, 1965.
- (2) In the Schedule to the Cement Control Order, 1961, in the Table below paragraph (C), for the entry against serial No. 4 the following entry shall be substituted, namely:—

TABLE

Name of Producer	Additional amount per metric tonne	Date from which the additional amount may be charged
4. M/s. Shree Digvijay Cement Co. Ltd., Bombay.	Rs. 1.30 Rs. 0.89 Rs. 0.67	10th September, 1963. 27th November, 1963. 1st July, 1964.

[No. 8(37)/62-CEM.II.]

R. K. RANGAN, Under Secy.

(Department of Industry)

(Indian Standard Institution)

New Delhi, the 5th January 1965

S.O. 273.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that forty licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Serial No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Articles(s) covered by the Licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM[L-2 7-12-1955	1-1-65	31-12-65	The Indian Cable Company Ltd., 9 Hare Street, Calcutta.	Hard-Drawn Standard Aluminium and Steel-Cored Aluminium Conductors of all types and sizes specified in IS:398-1961.	IS:398-1961 Specification for Hard-Drawn Standard Aluminium and Steel-Cored Aluminium Conductors for Overhead Power Transmission Purposes (<i>Revised</i>).
2	CM[L-3 7-12-1955	1-1-65	31-12-65	The Indian Cable Company Ltd., 9 Hare Street, Calcutta.	Cotton-Covered Round Copper Conductors.	IS:450-1964 Specification for Cotton-Covered Round Copper Conductors (<i>Revised</i>).
3	CM[L-4 7-12-1955	1-1-65	31-12-65	The Indian Cable Company Ltd., 9 Hare Street, Calcutta.	Hard-Drawn Copper Conductors.	IS:282-1963 Specification for Hard-Drawn Copper Conductors for Overhead Power Transmission (<i>Revised</i>).
4	CM[L-5 7-12-1955	1-1-65	31-12-65	The Indian Cable Company Ltd., 9 Hare Street, Calcutta.	Bare Annealed High-Conductivity Copper Wire of various sizes specified in IS:396-1953.	IS:396-1953 Specification for Bare Annealed High-Conductivity Copper Wire for Electrical Machinery and Apparatus (<i>Tentative</i>).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
5	CM/L-6 7-12-1955	1-1-65	31-12-65	The Indian Cable Company Ltd., 9 Hare Street, Calcutta.	Rubber Insulated Cables and Flexible Cords of all types and sizes with copper or aluminium conductors specified in IS:434-1953.	IS:434-1953 Specification for Rubber-Insulated Cables and Flexible Cords for Electric Power and Lighting (for Working Voltages upto and including 11 kV (Tentative).
6	CM/L-21 3-12-1956	10-12-64	30-11-65	M/s. Devidayal Metal Industries, Tulsiram Gupta Mills Estate, Darukhana, Bombay-10.	Wrought Aluminium and Aluminium Alloy Sheets, Strips and Circles.	IS:21-1959 Specification for Wrought Aluminium and Alloys for Utensils (Second Revision).
7	CM/L-24 19-12-1956	1-1-65	31-12-65	M/s. Light Metal Works, New Sun Mill Compound, Delisle Road, Bombay-13.	Wrought Aluminium and Aluminium Alloy Utensils.	IS:21-1959 Specification for wrought Aluminium and Aluminium Alloys for Utensils (Second Revision).
8	CM/L-111 16-12-1958	1-1-65	31-12-65	M/s. Beliaghata Timber Works Private Ltd., 28-B, Chaulpatty Road, Calcutta-10.	Tea-Chest Plywood Panels.	IS:10-1953 Specification for Plywood Tea-Chest (Revised)
9	CM/L-112 26-12-1958	1-1-65	31-12-65	The Kesar Sugar Works Ltd., 45-47, Apollo Street, Fort, Bombay-1.	Hydroquinone, Photographic Grade.	IS:388-1963 Specification for Hydroquinone, Photograph Grade (Revised)
10	CM/L-157 23-12-1959	1-1-65	31-12-65	M/s. Shamsher Sterling Cable Corporation Ltd., Vaswani Mansions, Dinsha Wacha Road, Bombay-1.	VIR Non-Flexible Cables Type Voltage Grade Conductor	IS:434-1953 Specification for Rubber-Insulated Cables and Flexible Cords for Electric Power and Lighting (For Working Voltages upto and including 11 kV) (Tentative).

(i) TRS (Tough Rubber Sheathed	250	Copper or Aluminium
(ii) Braided and Compounded	250 & 660	
(iii) Weather-proof.	250 & 660	
(iv) Flame Retarding	250	

11	CM/L-244 28-11-1960	15-12-64	15-12-65	M/s. Indian Plastics Limited, Poisar Bridge, Kandivli, Bo- mbay-67	Phenolic Moulding Materials, Grade 2	IS:1300-1963 Specification for Phenolic Moulding Materials (Revised)
12	CM/L-245 28-11-1960	15-12-64	15-12-65	M/s. Tipco The Industrial Plastics Corporation Ltd., 14 Hamam Street, Fort, Bombay-1	Phenolic Moulding Materials, Grades 2 & 3	IS:1300-1963 Specification for Phenolic Moulding Materials (Revised)
13	CM/L-252 26-12-1960	1-1-65	31-12-65	M/s. Tata-Fison Ltd., Union Bank Bldg., Dalal St., Bo- mbay-1	Copper Oxychloride Water Dispersible Powder Concen- trates	IS:1507-1959 Specification for Copper Oxychloride Water Dispersible Powder Con- centrates
14	CM/L-253 26-12-1960	1-1-65	31-12-65	M/s. Travancore Chemical & Manufacturing Co., Ltd., Manjummel, Alwaye	Copper Oxychloride Water Dispersible Powder Con- centrates	IS:1507-1959 Specification for Copper Oxychloride Water Dispersible Powder Con- centrates
15	CM/L-254 26-12-1960	1-1-65	31-12-65	M/s. Swastik Rubber Products Ltd., "Swastik House" Kir- kee, Poona-3	<i>Vir Cables</i> Type Voltage Grade Conductor	IS:434-1953 Specification for Rubber-Insulated Cables and Flexible Cords for Electric Power and Lighting (For Working Voltages up to and including .11 kV) (Tentative)
					(i) TRS (Tough Rubber Sheathed) (ii) Weather- proof (iii) Braided and Com- pounded	Volts 250 250 & 660 250 & 660 Copper only Copper or Alumini- um
16	CM/L-356 20-11-1961	27-12-64	15-12-65	M/s. Zeta Industrial Corpora- tion Pvt., Ltd., No. 14F Govindpuri, Modinagar, Distt. Meerut	Metal Clad Switches Capacities up to 60 Amp 500 Volts	IS:1567-1960 Specification for Metal Clad Switches (Current Rating not exceeding 100 Ampere)
17	CM/L-361 27-11-1961	15-12-64	15-12-65	M/s. Modi Vanaspati Manufac- turing Co., Modinagar, Distt. Meerut	18-Litre Square Tins	IS:916-1958 Specification for 18-Litre Square Tins
18	CM/L-363 30-11-1961	15-12-65	15-12-65	M/s. Nielcon Private Ltd., 37F Parel Road Cross Lane, Chinchpokli, Bombay-12	Three-Phase Induction Motors up to 10 Horse Power	IS:325-1961 Specification for Three-Phase Induction Motors (Second Revision)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
19	CM/L-365 12-12-1961	1-1-65	31-12-65	M/s. Ditz Electricals (India) Ltd., 29 Malkaganj Road, Delhi	Electric Portable Immersion Heaters for Domestic Use (500 Watts to 4000 Watts Capacity).	IS:368-1963 Specification for Electric Immersion Water Heaters (Revised)
20	CM/L-366 15-12-1961	1-1-65	31-12-65	M/s. Tungabhadra Industries Ltd. Kurnool, (Andhra Pradesh)	18-Litre Square Tins	IS:916-1958 Specification for 18-Litre Square Tins
21	CM/L-367 15-12-1961	1-1-65	31-12-65	M/s. Bharat Pulverising Mills Pvt. Ltd., 589 Thiruvottiyur High Road, Madras-19	Endrin Emulsifiable Concentrates	IS:1310-1958 Specification for Endrin Emulsifiable Concentrates
22	CM/L-369 22-12-1961	1-1-65	31-12-65	The D.C.M. Container Works, Najafgarh Road, New Delhi-15	18-Litre Square Tins	IS:916-1958 Specification for 18-Litre Square Tins
23	CM/L-370 22-12-1961	1-1-65	31-12-65	M/s. Excel Industries Pvt. Ltd., 184-87 Ghodbunder Road, Jogeshwari, Bombay-60	Zinc Phosphide, Technical	IS:1251-1958 Specification for Zinc Phosphide, Technical
24	CM/L-371 22-12-1961	1-1-65	31-12-65	M/s. Benar Oil Industries, Varnasapeth, Akola	18-Litre Square Tins	IS:916-1958 Specification for 18-Litre Square Tins
25	CM/L-465 30-10-1962	10-12-64	30-11-65	M/s. E.A.G. Minerals Supply, B/1 Hide Road, Kidderpore, Calcutta-23 having their Head Office at P.22 Swallow Lane, Calcutta-1	BHC Dusting Powders	IS:561-1962 Specification for BHC Dusting Powders (Second Revision)
26	CM/L-466 30-10-1962	16-12-64	15-12-65	M/s. Sial Soap Stone Factory, Rupaund (SER) P.O. Barwara, Via Katni, Distt. Jabalpur.	BHC Dusting Powders	IS:561-1962 Specification for BHC Dusting Powders (Second Revision)
27	CM/L-477 29-11-1962	15-12-64	15-12-65	M/s. Shalimar Tar Products (1935) Ltd., 7/1 Hide Road, Kidderpore, Calcutta-23 having their Office at 6 Lyons Range, Calcutta-1	Bitumen (Plastic) for Water-proofing purposes	IS:1580-1960 Specification for Bitumen (Plastic) for Water-proofing purposes
28	CM/L-480 29-11-1962	15-12-64	15-12-65	M/s. Jai Electrical Industries, S/52 Industrial Area, Jullundur City.	Metal Clad Switches 15 and 30 Amp of 250 and 500 Volts Grade, 60 and 100 Amp of 500 Volts Grade	IS:1567-1960 Specification for Metal Clad Switches (Current Rating not Exceeding 100 Amp)
29	CM/L-482 3-12-1962	15-12-64	15-12-65	M/s. Kamani Metals and Alloys Ltd., Agra Road, Kurla, Bombay-70	Brass Sheets Grades BS 63 only	IS:410-1959 Specification for Rolled Brass Plate Sheet, Strip and Foil (Revised)

30	CM/L-483 5-12-1962	15-12-64	15-12-65	M/s. Lakhi Trading Co., Village Road, Bhandup, Bombay-78 having their Office at 2nd Jai Hind Estate, Building No. 2, Bhuleshwar, Bombay-2.	Wrought Aluminium Utensils, Grade SIC	IS:21-1959 Specification for Wrought Aluminium and Aluminium Alloys for Utensils (Second Revision).
31	CM/L-484 20-12-1962	1-1-65	31-12-65	M/s. Vijaya Foundry, T.S. No. 10/1075/3 Pulikakulam Road, Pappanaickenpalayam, Coimbatore.	Horizontal Centrifugal Pumps for Clear, Cold, Fresh Water, Size 25mm x 25mm to 100mm x 100 mm	IS:1520-1960 Specification for Horizontal Centrifugal Pumps for Clear, Cold, Fresh Water.
32	CM/L-485 20-12-1962	1-1-65	31-12-65	M/s. Glenfield & Kennedy Ltd., 4 Fairlie Place, Fairlie House, Calcutta-1.	Sluice Valves for Water Works Purposes.	IS:780-1963 Specification for Sluice Valves up to 300 mm Size for Water Works Purposes (Inside Screw) Non-Rising Spindle Type) (Revised).
33	CM/L-486 20-12-1962	1-1-65	31-12-65	M/s. Gautam Electric Motors Private Ltd., 42, Okhla Industrial Estate, New Delhi-20.	Fractional Horse Power Motors, Single-Phase 1 H.P. and Three Phase -1/4 HP to 1 HP.	IS:996-1959 Specification for Small AC and Universal Electric Motors with Class 'A' Insulation.
34	CM/L-599 7-11-1963	15-12-64	14-12-65	M/s. Gadre Brothers, Raniwar Peth, Madhavnagar—S. Rly. Distt. Sangli, Maharashtra State.	Parallel Keys (Size 12 x 8 x 80 mm, 18 x 11 x 100 mm and 6 x 6 x 22 mm only)	IS:2048-1962 Specification for Parallel Keys and Keyways.
35	CM/L-600 20-11-1963	15-12-64	14-12-65	M/s. Hind Cycles Ltd., 250 Worli, Bombay.	Bicycle Chains	IS:627-1961 Specification for Bicycle Chains (Revised).
36	CM/L-604 29-11-1963	1-1-65	31-12-65	M/s. Kashmir Sports Industries, 135 Bhagat Singh Market, New Delhi.	Footballs and Volley-balls	IS:417-1953 Specification for Footballs, Volley-balls, Basket-balls and Water Polo Balls (Tentative).
37	CM/L-605 29-11-1963	1-1-65	31-12-65	M/s. Skytone Electricals (India), 43-Industrial Area, Faridabad having their Head Office at 2655 Sadar Thana Road, Delhi-6.	Rubber-Insulated Cables with Copper Conductors, TRS (Tough Rubber Sheathed) 250 and 660 Volts Grade, VIR, Taped/Untaped, Braided and Compounded, Including Weatherproof Cables of 250 & 660 Volts and Grade and VIR Flexible Cords, 250 V Grade	IS:434-1953 Specification for Rubber-Insulated Cables and Flexible Cords for Electric Power and Lighting (For Working Voltages Up to and including 11kV (Tentative).
38	CM/L-606 29-11-1963	1-1-65	31-12-65	M/s. Associated Pigments Ltd., 260 Barrackpore Trunk Road, P.O. Sukchar, 24 Parganas having their Office at 14 Netaji Subhash Road, Calcutta-1.	Zinc Oxide for Paints	IS:35-1950 Specification for Zinc Oxide for Paints.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
39	CM/L-607 11-12-1963	11-1-65	31-12-65	Production Centre for Electric Motors (Govt. of India, Min. of Industry and Supply), Tiruvalla, Kerala State.	Fractional Horse Power. Electric Motors, Single-Phase Capacitor Start and Three-Phase Squirrel Cage Induction Motors,	IS:996-1959 Specification for Small AC and Universal Electric Motors with Class 'A' Insulation.
40	CM/L-609 11-12-1963	1-1-65	31-12-65	The Tata Iron and Steel Co. Ltd., Jamshedpur.	Structural Steel (Ordinary Quality).	IS:1977-1962 Specification for Structural Steel (Ordinary Quality).

[No. MD/33:16/A]

S.O. 274—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that twelve licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name of Address of the Licensee	Article/Process covered by the Licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-978 2-12-1964	7-12-64	6-12-65	M/s. Gladstone Lyall & Co. Ltd. 59, Kalicharan Ghosh Road, Sinthi, Calcutta-2 having their Registered Office at 4 Fairlie Place, Calcutta-1.	Bitumen Felts for Water-proofing Type 3 Grade 1	IS: 1322-1959 Specification for Bitumen Felts for Waterproofing and Damp-Proofing.
2	CM/L-979 21-12-1964	1-1-65	31-12-65	M/s. Periyar Metal Products, Industrial Estate, Ettumanoor, Kottayam (Kerala State).	Wrought Aluminium Utensils, Grade S1C	IS: 21-1959 Specification for Wrought Aluminium and Aluminium Alloys for Utensils (Second Revision)
3	CM/L-980 21-12-1964	1-1-65	31-12-65	The Indian Cable Co. Ltd., Golmuri, Tatanagar having their Registered Office at 9 Hare Street, Calcutta-1.	PVC Insulated (Heavy Duty) Electric Cables for Working Voltages Up to and Including 1100 Volts (With Copper Conductors only)	IS: 1554 (Part D)-1961 Specification for PVC Insulated (Heavy Duty) Electric Cables for Working Voltages Up to and Including 1100 Volts.
4	CM/L-981 21-12-1964	1-1-65	31-12-65	M/s. Industrial Chemicals Limited, Sankarnagar, Talaiyuthu R.S., Tirunelveli District, having their Registered Office at 175/1 Mount Road, Madras-2	Calcium Carbide, Technical, Quality A.	IS: 1040-1960 Specification for Calcium Carbide, Technical (Revised)
5	CM/L-982 24-12-1964	16-1-65	15-1-66	M/s. Kamani Metallic Oxides Private Ltd., Agra Road, Kurla, Bombay-70 (AS)	Litharge for Paints	IS: 58-1950 Specification for Litharge for Paints
6	CM/L-983 24-12-1964	16-1-65	15-1-66	M/s. Kamani Metallic Oxide Private Ltd., Agra Road, Kurla, Bombay-70 (AS)	Zinc Oxide for Paints	IS: 35-1950 Specification for Zinc Oxide for Paints
7	CM/L-984 24-12-1964	16-1-65	15-1-66	M/s. Kamani Metallic Oxides Private Ltd., Agra Road, Kurla, Bombay-70 (AS)	Red Lead for Paints, Type C	IS: 57-1950 Specification for Red Lead for Paints

(1)	(2)	(3)	(4)	(5)	(6)	(7)
8	CM/L-985 29-12-1964	1-2-65	31-1-66	M/s. Unimpex Private Ltd., Village & P.O. Manda, Station Titvala, Taluka, Kalyan having their Office at 21 Broach Street, Bombay-9.	Malleable Cast Iron Pipe Fittings	IS: 1879-1961 Specification for Malleable Cast Iron Pipe Fittings
9	CM/L-986 29-12-1964	1-2-65	31-1-66	M/s. Santosh Industries. 87/6 Kalpi Road, Heeraganj, Kanpur.	Fractional Horse Power Electric Motors, Universal Type, 1/20 HP only	IS: 996-1959 Specification for Small AC and Universal Electric Motors with Class 'A' Insulation
10	CM/L-987 29-12-1964	1-2-65	31-1-66	The Raja Bahadur Motilal Poona Mills Ltd., 5 Raja Bahadur Motilal Road, Poona-1.	Drafting Machines	IS: 2287-1963 Specification for Drafting Machines
11	CM/L-988 31-12-1964	16-1-65	15-1-66	M/s. Emco General Industries, 95/1 Cossipore Road, Calcutta-12 (West Bengal) having their Office at P-16 New C.I.T. Road, India Exchange Place Extension, Calcutta-12	Plastic Water-Closet Seats and Covers, Phenolic	IS: 2548-1963 Specification for Plastic Water Closet Seats and Covers
12	CM/L-989 31-12-1964	1-2-65	31-1-66	M/s. Special Steels Limited, Dattapara Road, Borivli (East), Bombay-66	Plain Hard-Drawn Steel Wire for Prestressed Concrete	IS: 1785-1961 Specification for Hard-Drawn Steel Wire for Prestressed Concrete.

[MD/33 : 16]

New Delhi, the 11th January 1965

S.O. 275.—Consequent to change in name of M/s. Tata-Fison Limited to M/s. Tata Fison Industries Limited the Certification Marks Licences No. CM/L-29, 31, 98, 99, 139, 140, 141, 142, 168, 215, 217, 252, 256, 257, 303, 304, 326, 332, 333, 372, 501, 508, 536, 539, 568 and 569 granted to M/s. Tata-Fison Limited for their factories at Bombay, Howrah, Cochin and Agra have been amended in the name of M/s. Tata Fison Industries Limited.

[No. MD/12:86.]

D. V. KARMARKAR,
Joint Director (Marks).

MINISTRY OF WORKS & HOUSING

New Delhi, the 12th January 1965

S.O. 276.—In exercise of the powers conferred by clause (i) of article 299 of the Constitution, the President hereby directs that the following instruments made in the exercise of the executive power of the Union may be executed on his behalf by the Land and Development Officer, Government of India, namely:—

“All contracts and instruments relating to the sale/auction of Government land and property in the New Township of Faridabad.”

[No. 3(105)/64-L.]

B. R. MAZUMDAR, Under Secy.

MINISTRY OF REHABILITATION

(Office of the Regional Settlement Commissioner)

New Delhi, the 12th January 1965

S.O. 277.—Whereas the Central Govt. is of opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the Union Territory of Delhi for public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Govt. has decided to acquire and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

SCHEDULE

Sl. No.	Particulars of Property		Area	Name of the evacuee with rights in the property
	Khewat No.	Kh. No.		
1	2	3	4	5
<i>Village Chatterpur.</i>				
1	184 & 199/284, 285, 267.	1922	B-Bls. 4—16	Sharfuddin, Ramazani, Cairo sons of Zardar, Bashiruddin s/o Imam Khan, Shabab, Shamshuddin sons of Kale, Ibrahim s/o Bhoora, Niamuddin, Namar Hussain sons of Mohd. Umar, Hamid s/o Shamed, Abdula s/o Wasir, Kallu, Nabbi Bux sons of Ismile, Allah Bux s/o Foji ownership rights.
		1416/1/2	1—4	
	693-695, 697.	515	6—0	Chandu s/o Sabarati, Rafuddin s/o Sabarati, in equal share, ownership rights.
		1265	1—12	
		973/5	0—13	
		962/2	1—0	
			3—0	
			6—5	

1	2	3	4	5
			B-Bls.	
	439-441	247/1 973/4 962/1 247/2/1	1-8 1-1 3-8 1-14	Cultivators Chandu and Rafuddin shareholders in equal share.
	289/396	973/3	7-11 0-3	Bandu shareholder evacuee
	<i>Village Satbari</i>			
2	45/61	1/2	2-1	Shazad & Suleman sons of Rehim Bux in equal share, ownership rights.
	115/166	76/1	0-17	Column Cultivators. Abdul Ganni & Allahdaya, Rehamatullah shareholders in equal, ownership rights.
3	<i>Village Bhoregarh</i>			
	35/95	28/7/2	1-13	Mst. Mehmood Begum Wd/O Uasin Khan ownership rights. Mortgager evacuee, Ishwar Chand s/o Ram Chander Mortgagee non-evacuee vesting the Custodian.
	<i>Village Moondka</i>			
	253/693	1779 min	0-9	Column Cultivator, Sharfuddin s/o Ivaz, occupancy tenant evacuee.

[No. F. 1(10)/L&R/62-I.]

S.O. 278.—Whereas the Central Govt. is of opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the Union Territory of Delhi for public purposes, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the D.P. (C&R) Act 1954 (44 of 1954), it is notified that the Central Govt. has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

Sl. No.	Particulars of Property		Area	Name of the evacuee with rights in the property.
1	Khewat No.	Kh. No.	4	5
	<i>Villager Chatterpur</i>		B-Bis.	
1	211,	633	4-16	Imamuddin S/o Ibrahim, Badrulislam and
	212,	563	4-16	Mst. Bhaulislam S/o Abdul Karim, Fakhur-
	213 etc. /146	143	5-2	uddin S/o Khuda Bux, Hakam Ali S/o
		652/1	0-9	Ibaz, Abdul Ghani and Allha Daya and
		688/2	2-3	Rahmatulla SS/o Chanda, Rehman S/o
		710	2-7	Rehim Bux, Mazid and Hamid SS/o
		699	2-15	Hussaini, Latif Banda Bhoroo Shbrati
		884	4-8	Mortgager Bashiruddin and Nassiruddin
		882	4-3	SS/o Bhika Mortgagee, Sharif S/o Bundu,
		885	4-3	Nasib Khan and Bazid and Hakim and
		880	4-3	Alladiya SS/o Murad, Idda and Sdiq SS/o
		879	4-8	Sher Khan, Hamid S/o Bakhtabar Evacuee
		886	4-8	ownership rights.
		887	4-15	
		1546	4-16	
		1593/2	1-6	
		1593/1	3-11	
	Total		62-13	

2	3	4	5
<i>Village Ladha Saria.</i>		B-Bis	
2 6/11	257/1	4-4	Elahi Bux S/o Rassul, Shamshuddin Nasiruddin Ziauddin SS/o Esmail, Hadar S/o Dalmir, Sheruddin Ziauddin Rahimuddin SS/o Zugli, Rano S/o Mamdi, Nanba S/o Ahmed Bux Evacuee Mortgager Hakim Ali S/o Munshi Dewan S/o Allah Bux, Hussain Bux and Rehman Bux SS/o Nizami. Karim Bux S/o Madari, Allah-diya and Gaffur SS/o Zumma, Amri S/o Menoo Mortgagee, Mohamed Ayub S/o Abdul Aziz Khan.
<i>Village Sultan Pur Dabbas.</i>			
3 52/99	80/14/1	3-6	<i>Column Cultivators.</i> Shukar Mohamed Alias Jaggu and Milkhi Mohamed Share Holder Evacuee Mortgager Subedar Gordan S/o Mehar Singh Mortgagee Non-Evacuee vesting in the Custodian.

[No. F. 1(10)L&R/62-II.]

New Delhi, the 13th January, 1965

S.O. 279.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties in the schedule hereto annexed in the States of Delhi, Madhya Pradesh, Bihar and Orissa for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

SCHEDULE

All properties in the States of Delhi, Madhya Pradesh, Bihar and Orissa, which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act upto 31st December 1964 and in respect of which no appeals have been filed, and if filed, have been rejected by the Appellate Officer.

[No. 22(14)/Comp. & Prop/61.]

M. J. SRIVASTAVA,
Settlement Commissioner & Ex-Officio Under Secy.

(Office of the Chief Settlement Commissioner)*New Delhi, the 12th January 1965*

S.O. 280.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Transfer of Evacuee Deposits Act, 1954 (No. 15 of 1954), the Central Government hereby appoints Shri A. G. Vaswani, Under Secretary in the Ministry of Rehabilitation, New Delhi, as Custodian of Deposits in addition to his own duties with effect from the 1st January, 1965 until further orders.

[No. F. 46(1)/63-IMP.]

S.O. 281.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the Maharashtra

State the following Collectors as Managing Officers for the custody management and disposal of Compensation pool, for the Districts shown against each:—

Name of Officer	Area of Jurisdiction.
1. Collector, Amravati	Amravati District.
2. Collector, Nagpur	Nagpur District.
3. Collector, Wardha	Wardha District.
4. Collector Chanda	Chanda District.
5. Collector, Yeotmal	Yeotmal District.
6. Collector, Bhandara	Bhandara District.
7. Collector, Akola	Akola District.
8. Collector, Buldana	Buldana District.

[No. 10(32)/AGZ/64.]

S.O. 282.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI 1950) the Central Government hereby appoints for the State of Maharashtra, the following Collectors as Deputy Custodians for the purpose of discharging the duties assigned to Deputy Custodians by or under the said Act, for the Districts shown against each.

Name of Officer	Area of Jurisdiction
1. Collector, Amravati	Amravati District.
2. Collector, Nagpur	Nagpur District.
3. Collector, Wardha	Wardha District.
4. Collector, Chanda	Chanda District.
5. Collector, Yeotmal	Yeotmal District.
6. Collector, Bhandara	Bhandara District.
7. Collector, Akola	Akola District.
8. Collector, Buldana	Buldana District.

[No. 10(32)/AGZ/64.]

New Delhi, the 14th January 1965

S.O. 283.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the State of Rajasthan, Shri J. K. Jain, Junior Field Inspector in the office of Regional Settlement Commissioner, Jaipur and posted at Alwar as Managing Officer for the custody, management and disposal of compensation pool with immediate effect.

[No. 7(12)AGZ/64.]

New Delhi, the 15th January 1965

S.O. 284.—In exercise of the powers conferred by Sub-Section (I) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints for the State of Maharashtra, Gujarat, Andhra Pradesh, Madras, Mysore and Kerala Shri Pritam Singh as Settlement Officer, for the purpose of performing the functions assigned to such Officers by or under the said Act with effect from 20th November, 1964.

[No. 6(3)AGZ/64.]

S.O. 285.—In exercise of the powers conferred by Sub-Section (I) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri N. B. Gorwaney, Assistant Settlement Officer in the office of the Regional Settlement Commissioner, Jaipur, as Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from 15th December, 1964.

[No. 7/46/55 S-II/AGZ.]

S.O. 286.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the State of Gujarat, Shri B. L. Dhawan, Managing Officer in the office of Regional Settlement Commissioner, Bombay as Managing Officer for the custody, management and disposal of compensation pool with effect from the date he took over charge of his office.

[No. 4(110)Adm(Prop)/58/AGZ.]

S.O. 287.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the State of Bihar, Shri B. S. Kalra, Managing Officer in the office of Assistant Settlement Commissioner, Incharge, Indore and Patna regions as Managing Officer for the custody, management and disposal of compensation pool with effect from 7th December, 1964 (Forenoon).

[No. 7(14)AGZ/64.]

S.O. 288.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the State of Maharashtra, Gujarat, Andhra Pradesh, Madras, Mysore and Kerala Shri Pritam Singh, Settlement Officer in the office of Regional Settlement Commissioner, Bombay, as Managing Officer for the custody, management and disposal of compensation pool with effect from the date he took over charge of his office viz. 20th November, 1964.

[No. 6(3)AGZ/64.]

New Delhi, the 16th January 1965

S.O. 289.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the State of Maharashtra Gujarat, Andhra Pradesh, Madras, Mysore and Kerala Shri V. S. Jha, Assistant Settlement Officer in the office of Regional Settlement Commissioner, Bombay as Managing Officer for the custody, management and disposal of compensation pool with effect from the date he took over charge of his office.

[No. 10(85)/54/Admn/AGZ.]

KANWAR BAHADUR,

Settlement Commissioner (A) & Ex-Officio, Dy. Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 11th January 1965

S.O. 290.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow in the industrial dispute between the employers in relation to the New India Assurance Co. Ltd. and their workmen which was received by the Central Government on the 8th January, 1965.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) LUCKNOW

PRESENT:

Sri J. K. Tandon—*Presiding Officer.*

ADJ. CASE No. 3 OF 1964

In the matter of an industrial dispute between the concern known as M/s. New India Assurance Co. Ltd., Head Office Mahatma Gandhi Road, Fort Bombay.

Vs.

Their Workmen.

APPEARANCES:

For the employers:

1. Sri R. K. Trehan, Dy. Regional Manager.
2. Sri R. S. Kalla, Labour Law Adviser.

3. Sri S. C. Gaur, General Attorney.

M/s. New India Assurance Co. Ltd., Head Office Mahatma Gandhi Road, Fort Bombay.

For the workmen:—1. Sri R. S. Agarwal, General Secretary, The New India Assurance Co. Ltd., Employees Union, Uttar Pradesh, Kanpur.

Industry: Insurance

District: Kanpur.

Dated January 1, 1965

AWARD

The Central Government have referred the following matter of dispute for Adjudication by this Tribunal as per their Order No. 70(7)/64-LRIV dated June 6, 1964 passed under Section 10 of the Industrial Disputes Act 1947 (Act 14 of 1947).

MATTER OF DISPUTE

“Whether the management of the New India Assurance Company Limited were justified in terminating the services of Shri Ashish Kumar Kirti, Apprentice in the Kanpur Branch of the aforesaid Company? If not, to what relief is he entitled?”

The pleadings of the parties gave rise to a number of issues of law and fact but it is not necessary to reproduce them here in view of the amicable settlement arrived at between them. The settlement which had substantially been arrived at one of the earlier hearings is on the whole a just and fair disposal of the controversy. I, therefore, adopt it and make my award in terms thereof. The settlement is reproduced in the Annexure hereto.

(Sd.) J. K. TANDON,
Presiding Officer.
1-1-65

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) LUCKNOW

CENTRAL CASE No. 3 OF 1964

In the matter of industrial dispute *vide* Government of India Ministry of Labour & Employment Notification S.O. dated 6th June 1964.

BETWEEN

The Management of the New India Assurance Co. Ltd., Head Office Mahatma Gandhi Road, Fort, Bombay-1.

AND

Their workmen represented by the New India Assurance Co. Ltd., Employee's Union, Uttar Pradesh, Kanpur.

The representatives of both the parties beg to submit that the matter of dispute referred to this Hon'ble Tribunal has been compromised amicably as per the following terms of settlement.

1. That the Union does not press the claim of the workmen concerned Shri Ashish Kumar Kirti as prayed in the statement of claim filed before the Hon'ble Tribunal.

2. That the letter of termination of services issued to Mr. A. K. Kirti is withdrawn by the Management of the Company and Mr. A. K. Kirti hereby submits his resignation from the services of the company.

3. That the Management will pay a sum of Rs. 120/- (Rupees One Hundred Twenty Only) being the unpaid salary for the period from December 1, 1963 to December 20, 1963.

4. That the Management will further pay *Exgratia* a sum of Rs. 1,180/- (Rupees One thousand one hundred eighty only) in full and final settlement of all his claims.

5. That the payment in full and final settlement as mentioned in para No. 3 and 4 above will be made within a week from the date of pronouncement of the Judgement by the Hon'ble Tribunal.

6. That as a result of the above settlement no further claim remains in respect of special allowance, leave etc., as aforesaid in para 4.

7. That this fully and finally resolves the dispute referred to the Hon'ble Tribunal.

PRAYER

It is, therefore, humbly prayed that the Hon'ble Tribunal be pleased to record the above settlement and make an award in terms of the same.

For the New India Assce. Co. Ltd.,

Employees Union, U.P. Kanpur.

(Sd.) R. S. AGARWAL,

1-1-65.

General Secretary.

For the New India Assurance Co. Ltd.

(Sd.) R. K. TREHAN,
Dy. Regional Manager.

(Sd.) R. S. KAILA,

(Sd.) S. C. GAUR, 1-1-65
Gen. Attorney.

(Sd.) J. K. TANDON,
Presiding Officer.

1-1-65.

[No. 70(7)/64-LRIV.]

O. P. TALWAR, Under Secy.

New Delhi, the 11th January 1965

S.O. 291.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Kustore Colliery (Raneegunge Coal Association Limited), post office Kusunda (Dhanbad) and their workmen, which was received by the Central Government on the 4th January, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947).

REFERENCE No. 8 of 1964

PARTIES:

Employers in relation to the Kustore Colliery (Raneegunge Coal Association Limited), Post Office Kusunda (Dhanbad)

AND

Their workmen.

PRESENT:

Sri Raj Kishore Prasad, M.A., B.L.,—*Presiding Officer.*

APPEARANCES:

For the Employers:—Sri Grewal, General Manager, Raneegunge Coal Association Ltd.

For the Workmen:—Sri S. N. Singh, President, Colliery Mazdoor Sangh, Kustore Branch, and Sri Ibrahim Miah, Workman concerned.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 15th December, 1964

AWARD

Ministry of Labour & Employment, Government of India, by its Order No. 2/82/63-LR II dated the 8th January 1964 referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Kustore Colliery (Raneegunge Coal Association Ltd.) and their workmen in respect of the matter specified below:

"Whether the management of Kustore Colliery (Raneegunge Coal Association Limited), is justified in not implementing the order of promotion of Shri Ibrahim Miah, Electric Fitter, to category VII, contained in their letter No. KM-24-62/783 dated the 8th September, 1962? If not, to what relief is the employee entitled?"

2. On 25th November, 1964 a joint petition of compromise dated 24th November, 1964, signed by Md. Ibrahim Miah on behalf of the workmen concerned and by the General Manager of the Company and also by Shri S. N. Singh, President, Colliery Mazdoor Sangh, setting out the terms of the agreement was received with a prayer that the compromise be recorded and an award in terms of it be passed.

3. On 14th December 1964 I considered the terms of the compromise and found that they were quite fair and reasonable and in the interest of both the parties and, therefore, I accept the compromise and record it as prayed for by both the parties.

4. The aforesaid compromise is marked Annexure 'A' and made a part of the Award which I pass on the basis of the said compromise as jointly prayed by both the parties.

5. This is the award which I make and submit to the Central Government under Section 15 of the Act.

DHANBAD,

Sd/- RAJ KISHORE PRASAD,

The 15th December, 1964.

Presiding Officer.

Central Govt. Industrial Tribunal, Dhanbad.

ANNEXURE 'A'

BEFORE THE PRESIDING OFFICER.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 8 OF 1964

Employers in relation to Kustore Colliery (Raneegunge Coal Association Ltd.)

AND

Their workmen.

The above Reference has been compromised between the Employers and the Workmen concerned namely Shri Ibrahim Miah on the following terms:—

1. That the workmen concerned will not press for his claim for promotion to Category VII.
2. That Sri Ibrahim Miah will continue in category IV from the date he reports for duties.
3. That Sri Ibrahim Miah had been dismissed with effect from 2nd April, 1964 for misconduct not connected with the dispute of the present Reference and an Application Under Section 33(2)(b) of the Industrial Disputes Act, 1947 for approval of the dismissal has been filed before this Tribunal being numbered 18 of 1964 and is still pending.
4. That the period from 2nd April, 1964, namely the date of dismissal of Sri Ibrahim Miah till he reports for duty in his category IV will be treated as if Sri Ibrahim Miah was on leave without wages for the purpose of continuity of service only.
5. That the workmen concerned has also subsequently to the above Application has filed an Application Under Section 33A of the Industrial Disputes Act, 1947 before this Tribunal being numbered 5 of 1964.
6. That the parties have also amicably settled the above two Applications for which separate petitions of compromise will be filed.
7. That the parties will bear their respective costs of this proceedings.

It is therefore humbly prayed that the above terms of compromise may kindly be recorded and an Award passed accordingly.

Sri IBRAHIM MIAH,
For workmen
concerned in the Dispute.

(Sd) GREWAL,
General Manager,
Raneegunge Coal Association Ltd,
For Employers.

Witnessed:—

Sri S. N. SINGH,
President,

Colliery Mazdoor Sangh, (I.N.T.U.C.)
Branch: Kustore—Burragarh & Alkusa Colliery.

[No. 2/82/63-LR. II.]

S.O. 292.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the Selected Searsole Colliery, P.O. Searsole Rajbari, Distt. Burdwan and their workmen which was received by the Central Government on the 31st December 1964.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 46 OF 1964

PARTIES:

Employers in relation to the Selected Searsole Colliery.

AND

Their workmen.

PRESENT:

Shri L. P. Dave—*Presiding Officer.*

APPEARANCES:

On behalf of Employers—Shri N. Das, Advocate.

On behalf of Workmen—Shri N. D. Das, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

The Government of India, Ministry of Labour and Employment, by their Order No. 6/60/64-LR. II dated 25th July 1964, have referred the industrial dispute existing between the employers in relation to the Selected Searsole Colliery and their workmen in respect of the question whether the management of the said colliery had stopped the 21 workmen mentioned in the schedule to the order of reference from their work from the respective dates mentioned against each of the workmen and if so whether the same is justified and if not to what relief the workmen or any of them was entitled, for adjudication to this Tribunal.

2. When the matter came up for hearing before me, the parties after some discussions entered into a compromise and produced a memorandum of settlement, copy appended herewith.

3. The dispute relates to 21 workmen who are alleged to have been stopped from work from different dates mentioned in the order of reference. The management's contention was that 6 of them were already in service. Under the terms of the settlement, these 6 people if not in service at present would be taken back in service as pick miners from 1st February 1965. The remaining 15 workmen mentioned in the order of reference are to be taken back in service with effect from 1st March 1965. It has further been agreed that the period of unemployment for all the workmen will be treated as leave without pay and there will be continuity of service. In my opinion, the compromise is fair and reasonable and I accept it.

I pass my award in terms of the compromise.

Sd/- L. P. DAVE,

Dated, 29th December, 1964.

Presiding Officer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE NO. 46 OF 1964

PARTIES:

Employers in relation to the Selected Searsole Colliery.

AND

Their workmen, represented by the Colliery Mazdoor Sabha.

The employers and the union in the above Reference beg to submit jointly that they intend to settle the dispute covered under this Reference amicably on the following terms and conditions:—

1. That the 6 workmen mentioned in para 9 of the Employers' written statement and mentioned in Schedule A below if not in service at present will be taken back at the employers' colliery with effect from 1st of February 1965 to work as pick miners.

SCHEDULE A

1. Shri Baragopal Majhi.
2. Shri Manga Majhi.
3. Shri Moral Majhi.
4. Shri Bara Lakhiram Majhi.
5. Shri Bara Lakhu Majhi.
6. Shri Chota Lakhiram Majhi.

2. That other 15 workmen mentioned in the order of Reference and also mentioned in Schedule B below will similarly be taken back in the employers' colliery on and from 1st of March 1965 to work as pick miners:

SCHEDULE B

1. Shri Chota Chuna Majhi.
2. Shri Chanda Majhi.
3. Shri Bara Mongla Majhi.
4. Shri Laksman Kole.
5. Shri Badan Majhi.
6. Shri Hopna Majhi.
7. Shri Samay Majhi.
8. Shri Chota Numa Majhi.
9. Shri Jiban Majhi.
10. Shri Chota Lakhu Majhi.
11. Shri Bagal Majhi.
12. Shri Hopna Majhi.
13. Shri Gajo Majhi.
14. Sri Bara Lakhiram Majhi.
15. Sri Sarkar Majhi.

3. That the period of unemployment of the workmen concerned in items 1 and 2 above will be treated as leave without pay and their period of unemployment will be treated as continuity of service.

4. That the parties will bear their respective costs of their reference.

The parties respectfully pray:

That the Hon'ble Tribunal will be pleased to allow the parties to settle the dispute on the terms set out above and to pass an award accordingly treating this application as a part of the Award.

For Colliery Mazdoor Sabha

ROBIN CHATTERJEE,

29/12/64

NARAYANDAS DAS,

Advocate for the Union.

29/12/64

For Selected Searsole Colliery

Sd/- Illegible

29/12/64

NIKHILESH DAS,

Advocate.

29/12/64.

[No. 6/60/64-LR. II.]

S.O. 293.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Kothagudem and their workmen, which was received by the Central Government on the 31st December, 1964.

**BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH,
HYDERABAD**

PARTIES:

Dr. Mir Siadat Ali Khan, M.A., LL.B., Fazel (Osm); B.C.L., (Oxon); D. Phil., (Oxon); Bar-at-Law; (Lincoln's Inn) (London); Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE NO. 19/1964

BETWEEN:

Workmen of the Singareni Collieries Co. Ltd., Kothagudem.

AND

The Employers of the Singareni Collieries Co. Ltd., Kothagudem.

APPEARANCES:

Sri S. Narayana Reddy, General Secretary, Andhra Pradesh Colliery Mazdoor Sangh (I.N.T.U.C.)—*for the workmen.*

Sri T. Goverdhan Rao—*for the Employers.*

AWARD

By Government of India, Ministry of Labour & Employment's Letter No. 7/14/63-LR-II dated 12th May 1964 the industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Kothagudem, and their workmen was referred for adjudication with the following issues framed in the schedule to the order of reference, viz.,

"Whether the action of the management in not placing the workman Sri Boya Ramaswami as Labour Investigator in the appropriate grade is justifiable? If not, to what relief is the workman entitled?"

2. The reference was registered here as industrial dispute No. 19/64. The workmen and the employer delayed the filing of the pleadings. The claims statement was not filed before 28th July 1964 and the counter was received only on 31st August 1964. Even after that the parties were not ready and only on 27th October 1964 evidence was recorded and arguments were heard on 8th December 1964.

3. The stand of Sri Boya Ramaswami and his union, Andhra Pradesh Collieries Mazdoor Sangh, is briefly this: Ramaswamy was appointed as Labour Investigator on 8th February 1949. In fact, he was the first Labour Investigator appointed. At that time there were no grades fixed for the post of Labour Investigator. He was given the surface Inspector grade of Rs. 32—2—65 with the maximum pay of Rs. 65/-. However, in 1951 one senior Labour Investigator and three labour investigators were appointed in the grade respectively of Rs. 115 to Rs. 200/- and Rs. 70—158. Ramaswamy applied to everybody concerned for giving him the appropriate grade. The employer did not pay any heed to him. He applied to the Conciliation Officer Secunderabad, and on his intervention the employer gave him the grade of Rs. 35—85 from 1st August 1953 which was revised at the demonetization of Hali currency to Rs. 40—100 which was, again, on the implementation of the coal award revised to Rs. 48 to 100. Ramaswamy was not satisfied as the grade of the other Labour Investigators was Rs. 70—158. He kept on applying that he should also be given the same grade, but, his applications were turned down. The Union took the matter before the Conciliation Officer and, hence, this reference.

3. (1) The stand of the employer in his written statement as well as in the arguments of his representative Sri Govardhan Rao is that in 1948 Ramaswamy was detained for his communist activities. His employment was terminated but on his release he was re-employed on compassionate grounds as Labour Investigator. He is illiterate and has no educational qualifications. He does not come up to the requisite standard and, therefore, he cannot be promoted to the grade he prays for. Labour Investigators are in three grades specified above. Promotion is mainly a managerial function and in the absence of *mala fides* the Tribunal cannot interfere. Here, *mala fides* cannot be attributed to the employer for the reason that not only Ramaswamy was entertained on compassionate grounds but was also given the grade of Rs. 48—100.

4. I considered the entire record carefully. I am afraid I do not agree with the contentions of the employer. The question is whether Ramaswamy is performing his duties satisfactorily and if so whether the employer has placed him in the appropriate grade. Ex. M-7 dated 16th September 1959 will show that the

employer has stated in it that his work was satisfactory and in Ex. W-2 dated 25th December 1950 also the Senior Labour Officer of the employer's company has certified that his work was satisfactory. In the circumstances, it is rather puerile to refer to his appointment on compassionate grounds 15 years ago or bringing in aid the doctrine of estoppel that when he has accepted a grade he cannot now pray for the appropriate grade. The record does not show that for Labour Investigators any qualifications are prescribed. He was appointed in 1949 and till Ex. M-7 dated September 1959 his work was found satisfactory and even now Ramaswamy was not cross-examined on his statement that his work is still satisfactory and that never a warning was administered to him and, therefore, his entire record is without a blemish. When he was not cross-examined on this whole statement I would conclude that it was admitted as true. It is urged that he has no knowledge of English and, therefore, he does not follow the speeches of trade union leaders or other speakers to the gatherings of workmen in English. One Labour Investigator, Saheb Ali, appointed in 1951 also does not know English and still he was given the higher grade of Rs. 70—158. Reporting of the speeches is not the entire province of the duties of a Labour Investigator. Speeches in English in the assemblies of workmen are rather rare. Speeches in Telugu are frequent. Next comes speeches in Hindustani or Urdu. Telugu is Ramaswamy's mother tongue and in his deposition before me he spoke Hindustani and Urdu fluently. It should be noted that his main object is to keep in contact with the Labour and most of the labour speaks Telugu. His other jobs are to note the activities of the workmen as a group. He was always considered to be the fittest person because of his close contact with the workmen and because the workmen held him in esteem. The contention that promotion is a managerial function and in the absence of *mala fides* the Tribunal may not interfere is correct. Still, here there is no question of promotion. From the very beginning, Ramaswamy in his various applications has always been praying for giving him the appropriate grade. The principle involved, therefore, is equal pay for equal work and not the principle of promotion. Some reports have been filed. They are of other Labour Investigators and also of Ramaswamy. I have perused them. In my opinion the only difference between the Ramaswamy's reports and other reports is that Ramaswamy's reports are brief but to the point. The other reports are in great detail, sometimes too many unnecessary details and significantly there are no reports of Saheb Ali. Considering all the above facts, I am of the opinion that Ramaswamy should also be given the appropriate grade of Rs. 70—158 from the date of the last conciliation report resulting in this adjudication viz., 12 March 1964.

5. My answers to the issues, therefore, are that the action of the employer in not giving Ramaswamy the appropriate grade was not justified and, therefore, he should be given the appropriate grade of Rs. 70—158 from the date of the conciliation report.

Award accordingly, given under my hand and the seal of the Court, this the 23rd Day of December 1964.

M. S. ALI KHAN,
Industrial Tribunal.

List of Witnesses examined:

By Workmen:

- W. W. 1: Shri Boya Ramaswamy
W. W. 2: Sri B. K. Ananda Rao.

List of documents marked by Workmen:

- Ex. W 1: Letter of the Singareni Collieries Company Ltd. dated 23/26 September 1955 in which Ramaswamy's case is considered for giving an initial starting salary of IG Rs. 60/-.
- Ex. W 2: Copy of certificate granted by Senior Labour Officer to Shri B. Ramaswamy, dated 23rd December 1950.
- Ex. W 3: Letter No. Kg Con. 1(1)/63-98 dated 14th October 1963 of the Labour Inspector addressed to the R.L.C.(C) Visakhapatnam.
- Ex. W 4: Minutes of conciliation proceedings held before the Labour Inspector and Conciliation Officer (C) Kothagudem.
- Ex. W 5: Letter dated 9th January 1963 from the General Secretary to the General Manager, Singareni Collieries Company Ltd., Kothagudem.

By Employer:

- M. W. 1: Sri Jedcherla Satya
Prakasham.

- Ex. W 6: Letter No. P. 4/1966/6164 dated 1st Dec. 1961 from the General Manager, Singareni Collieries Co. Ltd., to the President, Harijan Sevak Sangh, Ramavaram.
- Ex. W 7: Letter dated 23rd May 1961 from the Labour Investigator, B. Ramaswamy, addressed to the Genl. Manager of the employer's company.
- Ex. W 8: Letter from Sri B. Ramaswamy, Labour Investigator to the Conciliation Officer, (Central) Secunderabad, dated 12th October 1960.
- Ex. W 9: Letter from Sri B. Ramaswamy dated 9th July 1960 to the Conciliation Officer (Central) Secunderabad.
- Ex. W 10: Letter from Sri B. Ramaswamy, Labour Investigator, to the Conciliation Officer (Central) Secunderabad, dated 24th August 1959.
- Ex. W 11: Letter from Sri B. Ramaswamy to the General Manager. The S. C. Co. Ltd., Kothagudem dated 1st December 1956.
- Ex. W 12: Letter from Sri B. Ramaswamy, Labour Investigator, dated 17th June 1955 to the Conciliation Officer (Central) Secunderabad.
- Ex. W 13: Letter from Sri B. Ramaswamy dated 10th February 1955 to the Conciliation Officer (Central) Secunderabad, Camp: Kothagudem.

Documents marked by Employer:

- Ex. M 1: Letter No. P 143 dated Feb. 8, 1955 addressed to Mr. B. Ramaswamy, from the Genl. Manager.
- Ex. M 2: Letter No. P2280 dated 13th December 1956 addressed to B. Ramaswamy by the Genl. Manager.
- Ex. M 3: Letter No. S. 60(2)/57 dated 25th April 1958 from the Conciliation Officer to Sri B. Ramaswamy.
- Ex. M 4: Letter No. P. 4/688/3963 dated 13th September 1961 from the General Manager to the Managing Director, Singareni Collieries Co. Ltd.
- Ex. M 5: Letter No. P. 4/688/1830 dated 17/24th August 1959 from the Genl. Manager to the Secretaries, The S. C. Co. Ltd., Hyderabad.
- Ex. M 6: Wage Schedule of the Singareni Collieries Co. Ltd.
- Ex. M 7: List of increases given to Labour Office staff with effect from 1st July 1959.
- Ex. M 8: Letter No. TCO/19/2444 dated 9th/11th May 1962 from the Agent to the General Manager, the S. C. Co. Ltd., Kothagudem.
- Ex. M8/1: Letter No. DY/BC/14/494 dated 12/15 February 1964 from the Dy. G. M. to the G. M.
- Ex. M8/2: Letter No. DY/BC/15/2783 dated 25th August 1963 from Dy. G. M. Belampalli Collieries to the G.M.
- Ex. M8/3: Letter No. BCO/11/4084 dated 19/20 October 1963 from Agent, B. D., to G. M., Kgm.
- Ex. M8/4: Letter (Report) from Ch. U. B. Jaibhanudu, Labour Investigator dated 23rd January 1961.
- Ex. M8/5: Letter (Report) from Ch. U. B. Jaibhanudu, Labour Investigator dated 1st February 1955.
- Ex. M8/6: English translation of Report dated 12th June 1961 of Sri B. Ramaswamy, Labour Investigator.
- Ex. M8/7: English translation of Report dated 5th January 1961 of Sri B. Ramaswamy, Labour Investigator.
- Ex. M 9: Points to be noted at the time of implementation.
- Ex. M 10: Circular No. 2456 dated 18th December 1957 of the Singareni Collieries Co. Ltd.
- Ex. M 11: Supplementary statement submitted by the Andhra Pradesh Colliery Mazdoor Sangh, Kothagudem Collieries, Post Office: Ramavaram, before the Central Board for the Coal Mining Industry.

M. S. ALI KHAN,
Industrial Tribunal.
[No. 7/14/64-LR.II.]

S.O. 294.—In pursuance of section 17 of the Industrial Disputes Act, 1947 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Rajasthan, in the industrial dispute between the employers in relation to the Phalodi Quarries of Messrs Jaipur Udyog Limited Sawai Madhopur and their workmen which was received by the Central Government on the 1st January, 1965.

CENTRAL INDUSTRIAL TRIBUNAL, RAJASTHAN, JAIPUR

PRESENT

Shri J. S. Ranawat
JUDGE

Case No. C.I.T. 2 of 1964

REFERENCE:—Government of India, Ministry of Labour & Employment Order No. 22/4/64-LR.II, dated 6th July 1964.

In the matter of an Industrial Dispute

BETWEEN

The Cement Works Karamchari Sangh, Phalodi Quarries

AND

The Phalodi Quarries of Messrs. Jaipur Udyog Limited, Sawai Madhopur

Date of Award—4th December, 1964.

AWARD

This is a reference. The following dispute has been referred:—

- (1) Whether Shri Amar Singh, workman of Messrs. Jaipur Udyog Limited, Sawai Madhopur, has been performing the duties of 'tester' in Phalodi Quarries since November 1960, as represented by Cement Works Karamchari Sangh, Phalodi Branch?
- (2) If so, to what relief is Shri Amar Singh entitled?

Amar Singh was employed as an Assistant Tester at Sawai Madhopur and was transferred from there to the Quarries at Phalodi in the same grade as was applicable to him at Sawai Madhopur. His claim is that since there is no Tester at Phalodi he should be deemed to be performing the duties of a Tester and his wages should consequently be increased. The case of the company is that he was performing the duties of an Assistant Tester at Sawai Madhopur and he is supposed to do the very same work at Phalodi even though there may be no other person over him at Phalodi by the name of Tester, and he may be performing the duties of an assistant Tester under the supervision of a Chemist.

Shri Ram Kishore for the Sangh supports the claim of Amar Singh and he has prayed that the workman should be promoted and be allowed the wages of a Tester.

It may be noted that an Assistant Tester in the Cement Works, as alleged by the company, performs the very same experiments and duties that are performed by a Tester and the only difference between their duties is that a Tester has additional responsibility of supervising the work of Assistant Tester. In the performance of the work there has been little difference for Amar Singh and he is doing the same type of work as he did at Sawai Madhopur, even after he was transferred to Phalodi. There is thus no reason in support of the claim advanced by the union for increase in his wages. However, the work performed by Amar Singh is appreciated by the company and Shri Sharma has informed me that the company is prepared to offer Amar Singh higher grade namely that of skilled lower. Thus he shall now be put in a grade starting from Rs. 62.40 and rising upto Rs. 93.60 in place of his existing grade of Rs. 52.20 to Rs. 73.84. It may be noted that Amar Singh shall be fixed in the new grade at such stage as he may be considered entitled to having regard to the length of his service and other relevant considerations. The workman should be grateful to the company for their generous attitude in allowing him higher wages.

An award is passed as mentioned above with the consent of the company. A copy may be submitted to the Government for publication.

(Sd/- J. S. RANAWAT,)

Judge,

**Central Industrial Tribunal,
Rajasthan, Jaipur.**

[No. 22/4/64-LR.II.]

New Delhi, the 12th January, 1965

S.O. 293.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Kendra Colliery Workshop of Samla Collieries Limited, Post Office Pandaveshwar, District Burdwan, and their workmen, which was received by the Central Government on the 5th January 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

In the matter of a Reference under Section 10(1) (d) of the Industrial Disputes Act, 1947 (XIV of 1947).

REFERENCE NO. 50 OF 1963

PARTIES:

Employers in relation to the Kendra Colliery Workshop of Samla Collieries Limited, Post Office Pandaveshwar, District Burdwan.

AND

Their workmen.

PRESENT:

Sri Raj Kishore Prasad, M.A., B.L.,—*Presiding Officer.*

APPEARANCES:

For the Employers.—Sri B. S. Verma, Labour Welfare Officer.

For the Workmen.—Sri S. N. Jha, Assistant Secretary, Colliery Mazdoor Congress.

STATE: West Bengal.

INDUSTRY: Coal.

Dhanbad, dated the 29th December, 1964

AWARD

Government of India, Ministry of Labour and Employment, by its Order No. 6/13/63-LRII dated the 20th June 1963, referred an industrial dispute existing between the employers in relation to the Kendra Colliery Workshop of Samla Collieries Limited, Post Office Pandaveshwar, District Burdwan and their workmen in respect of the matters specified in the following schedule to this Tribunal for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947.

SCHEDULE.

“Whether the termination of services of Sarva Shri Lakshman Bowri, Paritosh Roy Chowdhury and Jalaluddin, of Kendra Colliery Workshop, from 22nd April, 1963 was legal and justified; if not to what relief the said workmen are entitled.

2. After the workmen and the Company had filed their written statements on 31st July, 1963, and 23rd August, 1963, respectively the case was fixed for hearing finally on 23rd December, 1964, after some adjournments were granted from time to time at the request of parties to settle the matter in dispute amicably. Finally, on 29th December, 1964, a joint petition of compromise was filed signed by Shri B. S. Verma representing the employers and Shri S. N. Jha representing the workmen respectively. The parties prayed that an award be made in terms of the said compromise which is marked Annexure ‘A’ to this Award.

3. I find that the said compromise, which is made a part of this award is fair and reasonable and in the interest of the parties to the dispute and, I, therefore, make an award in terms of the said compromise, marked Annexure ‘A’.

4. This is the award which I make and submit to the Government of India, under Section 15 of the Industrial Disputes Act, 1947.

Dhanbad,
29-12-1964.

Sd./- RAJKISHORE PRASAD,
Presiding Officer.
Central Govt. Industrial Tribunal,
Dhanbad.

ANNEXURE A

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 50 OF 63

Employers in relation to Kendra Colliery

AND

Their workmen

(represented by Colliery Mazdoor Congress).

The humble petition of the parties above-named most respectfully sheweth:—

That without going into the merits of respective cases the parties have settled their disputes and difference giving rise to the instant reference on the following terms:—

(a) That the two persons viz. Lakshman Bouri and Paritosh Kumar Roy Choudhary will be absorbed in the colliery workshop.

(b) That they will be paid Rs. 400 each as compensation for their period of unemployment.

(c) That the Union does not press the case of Jalaluddin.

(d) That the parties will bear their respective cases of their reference.

In the circumstances the parties pray that your Lordship be pleased to accept this petition of compromise and dispose of the reference accordingly.

And as in duty bound the parties shall ever pray.

Witnesses:—

(1) Sd./- P. P. BHANDARI,

29/12

(2) Sd./- MIHIR KUMAR CHATTERJEE,

29/12.

Sd./- B. S. VERMA,

Representing Employers.

29-12-64.

Sd./- S. N. JHA,

Representing Workmen.

29-12-64.

[No. 6/13/63-LRIL]

S.O. 298.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad in the industrial dispute between the employers in relation to the East Kajora Colliery, Post Office Andal, District Burdwan, and their workmen, which was received by the Central Government on the 5th January, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 1947).

REFERENCE No. 51 OF 1963

PARTIES:

Employers in relation to the East Kajora Colliery Post Office Andal, District Burdwan.

AND

Their workmen

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.—Presiding Officer.

APPEARANCES:

For the Employers.—Sri B. S. Verma, Labour Welfare Officer.

For the Workmen.—Sri S. N. Jha, Assistant Secretary, Colliery Mazdoor Congress.

STATE: West Bengal.

INDUSTRY: Coal.

Dhanbad, dated the 29th December, 1964

AWARD

Government of India, Ministry of Labour and Employment, by its Order No. 6/7/63-LR II dated 22nd June, 1963, referred an industrial dispute existing between the employers in relation to East Kajora Colliery, Post Office Andal, District Burdwan, and their workmen in respect of the matters specified in the following schedule to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947.

SCHEDULE

"1. Whether the management of the East Kajora Colliery had forcibly obtained the resignations from Sarvashri C. D. Banerjee, Underground Assistant and S. K. Tapadar, Electrician-in-Charge on or about the 6th December, 1962; if so, to what relief are these workmen entitled ?

(a) Whether the management of the East Kajora Colliery had refused the employment to the following 22 workmen from or about the 1st December, 1962:—

1. Sri Ajit Kumar Banerjee, Overman.
2. Sri Biswanath Chatterjee, Mining Sirdar.
3. Sri Nandadulal Chatterjee, Mining Sirdar.
4. Sri Kiriti Bhushan Samanta, Mining Sirdar.
5. Sri Mihir Kumar Chatterjee, Attendance Clerk.
6. Sri Bhawani Charan Banerjee, Attendance Clerk.
7. Sri Probodh Kumar Singha, Pit Munshi.
8. Sri Sachindra Kumar Chowdhury, Pit Munshi.
9. Sri Tusher Kanti Konar, Pit Munshi.
10. Sri Avaya Pada Banerjee, Pit Munshi.
11. Sri A. Mukherjee, L.W.O.
12. Sri P. K. Dutta, Assistant Despatch Clerk.
13. Sri K. S. Chakraborty, Pump Khalasi.
14. Sri S. N. Roy, Pump Khalasi.
15. Sri A. K. Chatterjee, Assistant Electrician.
16. Sri Karu Dosad, Depot Guard.
17. Sri Ram Prosad Singh, Guard.
18. Sri Yagendra Jha, Guard.
19. Sri B. C. Banerjee, Depot Guard.
20. Shri Ram Avatar Keat, S. Trammer.
21. Sri Norshing Mahato, U. G. Trammer.
22. Sri N. C. Chatterjee, Shot Firer.

(b) If so, whether the action of the management is justified; if not, to what relief are the said workmen entitled?

2. After the workmen and the company had filed their written statements on 3rd August, 1963, and 9th September, 1963, respectively the case was fixed for hearing finally on 23rd December, 1964, after some adjournments were granted from time to time at the request of parties to settle the matter in dispute amicably. Finally, on 29th December, 1964, a joint petition of compromise was filed signed by Shri B. C. Verma representing the employers and Shri S. N. Jha representing the workmen respectively. The parties prayed that an award be made in terms of the said compromise which is marked Annexure 'A' to this award.

3. I find that the said compromise, which is made a part of this award, is fair and reasonable and in the interest of the parties to the dispute and, I, therefore, make an award in terms of the said compromise, marked Annexure 'A'.

4. This is the award which I make and submit to the Government of India, under Section 15 of the Industrial Disputes Act, 1947.

Dhanbad,

29-12-1964.

Sd./- RAJ KISHORE PRASAD,
Presiding Officer,

Central Govt. Industrial Tribunal,
Dhanbad.

ANNEXURE A

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE 51 OF 63.

Employers in relation to East Kajora Colliery

AND

Their workmen.

(Represented by Colliery Mazdoor Congress).

The humble petition of the parties abovenamed—Most respectfully sheweth:—

The without going into the merits of respective cases the parties have settled their disputes and differences giving rise to the instant reference on the following terms:—

- (a) That the following workmen will be reinstated in their previous employment as given against their names:—
 - (1) Ajit Kumar Banerjee, Overman.
 - (2) Beswanath Chatterjee—Mining Sardar.
 - (3) Kiriti Bhushan Samanta—Mining Sardar.
 - (4) Mihir Kumar Chatterjee—Attendance Clerk.
 - (5) Nandadulal Chatterjee—Mining Sardar.
 - (6) Probodh Kumar Singha—Pit Munshi.
 - (7) Sachindra Kumar Chowdhury—Pit Munshi.
 - (8) Tushar Kanti Konar—Pit Munshi.
 - (9) Abhayapada Banerjee—Pit Munshi.
 - (10) S. N. Roy—Pump Khalasi.
 - (11) A. K. Chatterjee—Assistant Electrician.
 - (12) Karu Dosae—Depot guard.
 - (13) Ramprasad Singh—Guard.
- (b) That the abovenamed workmen will join their duties on or before 11th January 1965 and their period of unemployment shall be treated as authorised leave without pay for continuity of service only.
- (c) That the abovenamed thirteen workmen will get Rs. 25 each as *ex-gratia* payment.
- (d) That the Union does not press the case of the remaining eleven workmen, interested in this reference viz.:—
 - (1) C. D. Banerjee.
 - (2) S. K. Tapadar.
 - (3) Bhawani Charan Banerjee.
 - (4) A. Mukherjee.
 - (5) P. K. Dutta.
 - (6) K. S. Chakraborty.
 - (7) Ramprasad Singh.
 - (8) Yogendra Jha.
 - (9) Ramavatar Keot.
 - (10) Nareshing Mahato.
 - (11) N. C. Chatterjee.

and that they have no claim whatsoever against the management.

- (e) That the parties will bear their own costs of this reference.

In the circumstances the parties pray that your Lordship be pleased to accept this petition of compromise and dispose of the reference accordingly.

And as in duty bound the parties shall ever pray.

(Sd.) B. S. VERMA,
For East Kajora Colliery
For Jaypuria Kajora Colliery Ltd.,
Representing Employers,
29-12-1964.

WITNESSES:—

1. (Sd./- P. P. BHANDARI)
29-12-1964.
2. (Sd./- MIHIR KUMAR CHATTERJEE)
29-12-1964.

Sd./- S. N. JHA.
Representing Workmen.
29-12-1964.

[No. 6/7/63-LR. II.]

S.O. 297.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri I. B. Sanyal Arbitrator, in the industrial dispute between the employers in relation to the Chirimiri Colliery, District Surguja (Madhya Pradesh) of Chirimiri Colliery Company (Private) Limited, Amrit Bhavan, Residency Road, Nagpur-1, and their workmen which was received by the Central Government on the 4th January 1965.

BEFORE THE ARBITRATOR, SHRI I. B. SANYAL, REGIONAL LABOUR

COMMISSIONER (CENTRAL), CALCUTTA.

In the matter of an Industrial Dispute between the Management of Chirimiri Colliery, P.O. Chirimiri and their workmen represented by M. P. Colliery Workers' Federation, P.O. Chirimiri.

AWARD

The Government of India, Ministry of Labour and Employment, New Delhi by their Order No. S.O. 1655, dated 8th May 1964 published in the Gazette of India, Part II—Section 3(ii), dated 16th May 1964, appointed me Arbitrator in pursuance of the provisions of Sub-section (1) of Section 10A of the Industrial Disputes Act in the above dispute.

The specific matters in dispute for my arbitration were:—

“Whether the workers employed in Chirimiri Colliery are entitled to any wages, bonus etc. for the period 20th May 1959 to 12th August 1959. If so, to what relief they are entitled”.

Arbitration proceedings were held on 24th and 25th August 1964, at Jabalpur. As the parties desired to have joint consultations for settlement of the dispute, the proceedings were adjourned. By their joint application dated 27th November 1964, Sarbashri R. K. Saran, Director of Chirimiri Colliery Co. (P) Ltd., and Gulab Gupta, General Secretary, M. P. Colliery Workers' Federation, Chirimiri representing the management and the workmen respectively of the Chirimiri Colliery, informed me that they had settled the dispute which was a subject matter of my arbitration, by a conciliation settlement dated 27th November 1964, before the Regional Labour Commissioner (Central), Jabalpur and that therefore, they did not wish to pursue this matter before the Arbitrator. The parties also prayed for disposal of the arbitration by the Arbitrator accordingly.

In view of the above it is not possible to arbitrate in the dispute in question for want of prosecution by the parties. Therefore, my Award is “No Award”.

Sd./- I. B. SANYAL,

Arbitrator

Regional Labour Commissioner (Central)

Calcutta

CALCUTTA;

Dated 31st December, 1964.

[No.8/87/64-LRII.]

S.O. 298.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Calcutta, in the industrial dispute between the employers in relation to the Pure Kajora Colliery P.O. Kajoragram District Burdwan and their workmen which was received by the Central Government on the 7th January, 1965.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: CALCUTTA

REFERENCE No 58 OF 1964:

PARTIES:

Employers in relation to the Pure Kajora Colliery.

AND

Their workmen.

PRESENT:

Shri L. P. Dave—Presiding Officer.

APPEARANCES:

On behalf of employers—Shri D. Chatterjee, Manager.

On behalf of workmen—Shri Keshab Banerjee, General Secretary, Colliery Mazdoor Union.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

The Government of India, Ministry of Labour and Employment, by their order No. 6/39/64-LR.II, dated 9th September 1964, have referred the industrial dispute existing between the employers in relation to the Pure Kajora Colliery and their workmen in respect of the question whether the action of the management in suspending Shri Badri Chamar, Loader, for three days with effect from 9th April 1964 was justified and if not, to what relief he was entitled, for adjudication to this Tribunal.

2. When the matter came up for hearing before me today, the parties stated that the matter had been amicably settled between them and produced a memorandum of settlement, copy appended herewith, and requested that an award may be passed in terms thereof.

3. The dispute relates to the suspension of a worker for three days. By this suspension he must have lost wages of about Rs. 13/- or Rs. 14/-. Under the compromise, it has been agreed that the management will make an ex-gratia payment of Rs. 5/- to the workman. In my opinion, the compromise is fair and reasonable and I accept it.

I pass an award in terms of the compromise:

Sd./- L.P. DAVE,
Presiding Officer.

Dated the 5th January 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA
REFERENCE No. 58 of 1964.

PARTIES:

Employers in relation to the Pure Kajora Colliery,

AND

Their workmen, represented by the Colliery Mazdoor Union.

The parties above named beg to submit that without prejudice to the contention of the respective parties, it has been agreed between them that the management will make an ex-gratia payment of Rs. 5 to the workmen Badri Chamar within 7 days from to-day. It is further agreed that parties will bear their own costs.

It is prayed that an award should be passed in terms of the above settlement.

KESHAB BANERJEE.

(Workmen)
5-1-1965.

DHANANJOY CHATTERJEE.

(Employers)
5-1-1965.

[No. 6/39/64-LR.II.]

New Delhi, the 14th January 1965

S. O. 299.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Nowrozabad Colliery of Messrs Associated Cement Companies Limited and their workmen, which was received by the Central Government on the 12th January, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY
REFERENCE No. CGIT-19 of 1963

Employers in relation to the Nowrozabad Colliery of Messrs Associated Cement Companies Limited

AND

Their workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the Employers.—Shri N. V. Phadnis, Advocate with Sarvashri J. H. Bharucha, Agent, Nowrozabad and Kotma Collieries and G. L. Govil and M. S. Kapoor, Pers. Offrs.

For the Workmen.—Shri K. B. Chougule, General Secretary, with Shri R. K. Singh, President and Sarvashri A. K. Sen and G. R. Swami, Secretaries, Nowrozabad Colliery Mazdoor Sangh.

STATE: Madhya Pradesh.

INDUSTRY: Coal Mining.

Dated at Bombay the 8th day of January 1965

AWARD

The Central Government, by the Ministry of Labour & Employment's Order No. 1/8/63-LR.II dated 6th May, 1963, made in exercise of the powers conferred by clause (d) of Sub-Section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), was pleased to refer the industrial dispute between the parties abovenamed in respect of the subject matters specified in the following schedule to the said order to me for adjudication.

SCHEDULE

"Was the curtailment, by the Management of the Nowrozabad Colliery, of the leave facilities afforded to their workmen, in relation to the workmen employed after the 1st January, 1957, justified? If not, to what relief are the said workmen entitled?"

2. The Nowrozabad Colliery Mazdoor Sangh (hereinafter referred to as the Union) by its written statement dated 15th June 1963, has submitted that the curtailment of the leave facilities afforded to the workmen of Nowrozabad Colliery after 1st January 1957 was not justified, and in support has stated that prior to that date all monthly paid employees of this colliery were entitled to 21 days' privilege leave, 21 days sick leave and 7 days casual leave in the year with full pay and that after 1st January 1957 the Company arbitrarily curtailed these leave facilities for all employees who were employed or brought on the monthly muster rolls after 1st January 1957, by granting them leave only as per the Mines Act; that the leave rules of the Company granted 30 days privilege leave, 21 days sick leave and 7 days' casual leave with full pay and therefore, discontinuance of the leave facilities is illegal and arbitrary and is against the existing leave rules of the Company. The Union has attached to its written statement a copy of the failure report dated 7th April 1963 of the Conciliation Officer (Central) Jubalpur, in this dispute. The Union has prayed that the Company be directed to grant all its employees leave as before its curtailment to all the monthly paid employees employed or brought on the Muster Roll after 1st January 1957 and for credit for such leave from that date and for certain consequential reliefs, with which I shall deal later.

3. The Company in its preliminary written statement dated 15th June 1963 has stated that to the best of its knowledge no dispute existed or was apprehended at the colliery in respect of the item covered by the terms of reference, and therefore, the reference was void and bad in law. Further, the Company is handicapped in submitting their statement, as it had not received the written statement of the Union; that there never was a demand on the Company or refusal by it that leave facilities to all workmen employed after 1st January 1957, should not be curtailed; that in the absence of any demand and refusal, there is no industrial dispute within the meaning of the Industrial Disputes Act. The Company has submitted that without admitting that any such dispute exists, it has urged that the claim should be rejected *in toto* on grounds of belatedness. The Company, however, reserved its right to file an additional statement or rejoinder, if necessary, on receipt of the statement of claim of the Union.

4. On 16th July 1963, the Company filed a rejoinder to the Union's written statement dated 15th June 1963. In which it has referred to the Union's letter dated 24th July 1958 (Annexure 1) to the Manager of the Company *inter-alia* demanding continuance of leave facilities, notice periods etc. and has drawn attention to para 3 of the said letter, which it has extracted. It has submitted that at that time the Company had contended that in December 1957, it had put up a notice announcing the grades for staff drawing salaries up to Rs. 300/- per month and it was made clear that if the terms of the grade are not acceptable

to any of the staff they may inform the Manager of the Company accordingly in writing in which case they would be governed by the Award and that after conciliation proceedings were held on these demands of the Union and had failed, the Govt. was pleased by order dated 14th March 1958, to refer the dispute for adjudication to Shri F. Jeejeebhoy and subsequently by an another order dated 18th January 1960 to transfer it for adjudication by this Tribunal—when the dispute was numbered as Reference No. C.G.I.T. 1 of 1960. The Company has referred to the issue (demand) No. VIII in that dispute which was in the following terms:

“Whether there were incremental scales of pay for the monthly rated workmen before the publication of the All India Industrial Tribunal (Colliery Disputes) Award and, if so, whether the workmen have been adversely affected by the introduction of the new pay scales with effect from 1st January 1957. If they have been adversely affected to what relief they are entitled.”

The Company in its rejoinder has referred to the written statement of claim dated 8th April 1959 in Reference No. C.G.I.T. 1 of 1960. The Company has recorded that in the said dispute (Ref. No. C.G.I.T. 1 of 1960) on several issues, including issue No. 8, extracted above, a settlement was reached between the Company and the Union which was recorded in an agreement dated 24th March 1960 (Annexure II) and an award was made by this Tribunal in terms of that settlement as requested by the parties. The Company has extracted the settlement on issue No. 8, which is as follows:—

“8. In respect of issue No. 8 in Reference No. 1 of 1960 and issue No. 4 in Reference No. 2 of 1960, the workmen agree to accept scales of pay, in respect of monthly rated staff, published by the Company by their notice published in December 1957 and attached as Annexure 23A to the management's written statement in Reference No. 1 of 1960 and Annexure 9A to the Company's written statement in Reference No. 2 of 1960 and it has agreed that Shri K. B. Chougule on behalf of the workmen and Shri Rajagopala Swamy on behalf of the management will discuss the claims of the individual workmen mentioned in the supplementary written statements of the Nowrozabad Colliery Mazdoor Sangh and the Kotma Colliery Union, with Shri N. Dandekar, the Managing Director of the Company and settle the matter within six weeks of the Agreement”.

The Company has referred to the fact that its notice dated December 1957 (Annexure III to its written statement in this reference) was Annexure 23A to its written statement in reference No. 1 of 1960 and that it contained the following clause relating to leave:—

“Leave: The leave for the categories listed above whether governed by the Company's grades or the awarded grades will be as prescribed by the Indian Mines Act, but the individuals who have been entitled to higher leave privileges in accordance with the terms of appointment would be allowed to retain these facilities.”

The Company in sub-para (h) of its written statement in the instant dispute has specifically urged that by having accepted the grades as given in Annexure 23A the workmen and the Union had accepted the various terms and conditions including the one pertaining to “leave facilities” as laid down in the Annexure 23A. It has, in its said written statement further submitted that the issue of leave facilities had also been finally concluded by the Award in reference No. 1 of 1960 and that therefore, it was not proper for the Union to re-open this issue and that circumstances did not warrant for that Award to be disturbed at this stage. In para 5 of its written statement the Company has referred to the Union's letter dated 14th June 1962 by which it had raised certain demands and particularly to the following demand entitled “facilities to monthly paid employees” (Annexure IV).

“There are some workers in the Colliery who are paid by the month and are being given 30 days privilege leave, 21 days sick leave with full pay and 7 days casual leave. The Company has not extended this facility (underlining ours) to all the monthly paid employees and therefore, we request that all the monthly paid employees be given equal leave facilities. We make this demand retrospectively from 1st January 1961.”

In para 6 of its written statement it has, in this connection relied upon the terms of agreement on this demand reached dated 6th November 1962 during the conciliation proceedings (Annexure VI).

5. That settlement recorded that during discussions it was brought out that the disparity was in respect of 15 named employees it was agreed that the management will examine the demand for bringing those 15 employees at par with the other monthly paid employees governed by the leave rules of the Company. In order to enable the management to examine the case the Union agrees to withdraw the dispute at present. The management to communicate the final decision by 31st December. The Company has urged that the statements made by it above clearly showed that there never was a demand on the Company or refusal by it, that leave facilities to all workmen employed by it after 1st January 1957 should not be curtailed. The Company has urged that during the pendency of the agreement dated 6th November 1962, the Union raised the dispute demanding removal of disparity in the matter of leave facilities in respect of all workmen though the said agreement shows that the only dispute regarding leave facilities was in respect of extension of leave facilities to 15 workmen listed in the said agreement. It has urged that the said agreement of 6th November 1962 is still in force and has not been terminated either by the workmen or the Union, and therefore this reference is bad in law. The Company has contended that with reference to the Company's leave rule referred to in the Union's written statement the same had been superseded by the notice of December 1957, and that the said leave rules have no bearing on the present question. The Company has further contended that throughout the demand was in respect of extension of leave facilities and removal of disparity in respect of 15 employees and that there was no allegation that the leave facilities of all workmen should not be curtailed and that in the absence of any demand and refusal there was no industrial dispute within the meaning of the Industrial Disputes Act, 1947. With reference to the Union's demand for retrospective effect from 1st January 1957, Company has pointed out that before the Conciliation Officer, the demand was for retrospective effect from 1st January, 1963. The Company has, therefore, denied that the workmen were entitled to any relief either from 1st January, 1957 or 1st January, 1963.

6. However, later, on 24th July, 1964 (almost a year after it had filed its Rejoinder dated 16th July, 1963) the Company filed a supplementary written statement. In this written statement, without prejudice to its contentions in its preliminary written statement dated 15th June, 1963 and the rejoinder dated 16th July, 1963, the Company has submitted that the word "curtailment" presuppose that the workman enjoyed a much higher leave prior to the alleged curtailment. The Company has categorically stated that it has not curtailed at any time any leave facilities of the workmen either prior to the 1st January 1957 or thereafter which they were enjoying under the specific contract of service. It has submitted that the Union is in fact demanding higher privileges for workmen which demand according to the Company is beyond the terms of reference, it has further submitted that under the present reference there is no demand that two sections of workmen who as a result of separate sets of contracts are getting separate leave privileges, should get uniform leave privileges. The Union's claim is based on the above misapprehension of the terms of the reference, and, therefore, it goes beyond the terms of reference. The Company in its written statement has once again recounted the events leading up to the dispute, which it had narrated in its rejoinder dated 16th July, 1963, except for the fact that in this written statement it has given the date of its notice of December 1957, as being of 28th December 1957 and it has annexed to its written statement. Copies of two letters dated 8th October, 1962 and 21st March, 1963, addressed by Shri Chougule to the Conciliation Officer (C), Jabalpur (Annexures A & B) and it has sought to submit that the demand under reference alleged curtailment of leave facilities was according to it never raised by the Union. It has further submitted that even assuming, without admitting, that the word curtailment according to the Union means disparity in the leave facilities, then the alleged disparity should be confined to the cases of the 15 workmen whose names are given in the settlement dated 6th November, 1962. The Company has further stated that collieries adjoining to the Nowrozabad colliery are granting the same leave facilities as are at present granted by the Company and in proof it has annexed a copy of a telegram received by the Company from its Nowrozabad Colliery. The Company has also urged that the demand should be dismissed on the ground of belatedness. It has finally submitted that the Wage Board for the Coal Mining Industry is seized of the question of leave of various descriptions to be given to the workmen in the coal mining industry and has urged that the demand is unnecessary and should be rejected. It has urged that the question of leave privileges are matters which affect the entire industry, and, it would,

therefore, be inappropriate if such a matter affecting the entire industry is decided in the case of an isolated unit.

7. The Union on the very next day i.e., on 25th June, 1964, filed its reply to the supplementary written statement of the Company dated 24th June, 1964, in which it has urged that statements made by the Company, in its said supplementary written statement were misleading and confusing; that the reference made by the Government was clear and that the interpretation sought to be given by the Company was erroneous. It has submitted that the reference was for deciding the justifiability or otherwise of the action of the management in curtailing the leave facilities from 1st January, 1957. It has stated that it was an admitted fact that from 1st January, 1957 the leave facilities existing prior to 1st January, 1957 had been curtailed and that due to the curtailment such of the employees who were employed after 1st January, 1957 or who were brought on the monthly rolls after 1st January, 1957 were granted leave under the Mines Act; that thus the Company created two sets of workers having the same conditions of service except in matters of leave and that if this Tribunal held that there was curtailment of the leave facilities of the monthly paid employees and such curtailment was unjustified, then it would have to decide what relief the workmen are entitled to; that, therefore, the jurisdiction of the Tribunal was not as limited as urged by the Company. It has relied upon the Conciliation Officer's Failure Report Annexure A to its statement of claim dated 15th June, 1963 and on which it has relied in paragraph 5 of its said statement of claim, for a proper construction of the scope of this reference. It has stated in reply to para 3 of the Company's written statement that if the Tribunal holds that the curtailment enforced by the Company is unjustified then the automatic relief to grant would be to direct the restoration of the leave facilities as existing before the curtailment in respect of all such employees who are entitled to receive the leave privileges under the Company's rules i.e., all the monthly paid employees employed after 1st January, 1957 or brought on monthly rolls after 1st January, 1957, though employed before 1st January, 1957. It has submitted that such a relief is entirely within the scope of the reference and matters incidental to the terms of reference. In para 3, in reply to the statements made in para 4 of the Company's supplementary written statement the Union has denied the various statements in the manner they have been stated. It has urged that the history of a different case has no relevance to the present reference because this dispute was raised on 21st March, 1963 and what was offered and not accepted by the management before this date cannot be made the basis of limiting the scope of this reference. It has emphatically denied that the present dispute is limited to 15 employees only. It has submitted that the Company's contention that the demand regarding curtailment of leave facilities was never raised by the Union, is entirely wrong. It has urged that the curtailment of the leave facilities from 1st January, 1957 for employees who were employed on monthly scales of pay after 1st January, 1957 or who were brought on monthly rolls of pay after 1st January, 1957 is the cause and the resultant disparity is the effect and that it is the effect which is adverse to the interests of the workers. The Union has denied that the statements made in the Company's supplementary written statement paragraph 5 with regard to the leave facilities at the Bersingpur and Umaria Collieries is not correct and has put the company to the proof thereof. The Union has stated that the demand is not belated and that in any case the Union has asked for relief only from 1st January, 1963. The Union, in paragraph 6, has urged that the Wage Board for the Coal Mining Industry is to recommend as to what should be the quantum of leave that should be granted to the colliery workers and that in the present reference the Tribunal is not called upon to fix any leave facilities and therefore the Company's contention that this reference is unnecessary in view of the Wage Board is wrong. It has pointed out that even to-day in different collieries there are different leave facilities in force and therefore the Company's contention that leave privileges are matters which affect the entire industry has no basis and that the Tribunal would be doing no injustice to this management or the industry in deciding the present reference.

8. The Company on 26th June, 1964 filed yet another written statement stating that the information regarding leave facilities granted in the Bersingpur and Umaria Collieries as stated in its earlier written statement was correct and asking for a summons on those Companies to prove their existing leave facilities.

9. At the hearing of this dispute on 25th June, 1964 the following issues were framed by the consent of the parties:

1. Does the Union prove curtailment of leave facilities afforded by the Company to its workmen employed after 1st January, 1957?
2. If so, was such curtailment justified?
3. If such curtailment, if any, was not justified, what relief, if any, are such workmen entitled to?

An additional issue was also framed by me viz:

4. Was there any curtailment of leave facilities by the Company for the workmen employed after 1st January, 1957?

At the hearing the Company led the evidence of Shri G. V. Joshi (E.W. 1) its Office Supdt. at the Nowrozabad Colliery and both parties filed a number of documents and I have had the benefit of detailed addresses from representatives of both parties.

10. I shall now deal with Issue No. 1. I may, at the outset, note that Shri Phadke, the Learned Counsel appearing for the company, at the hearing of this dispute on 22nd June 1964 specifically stated that he was not pressing any question of the jurisdiction of this Tribunal to adjudicate on this dispute.

11. The first contention urged by Shri Phadke was that the necessary implication of the award in Reference No. 1 of 1960 must be held to mean that the union and the workmen had accepted the conditions in the company's notice of December 1957 which is annexure 3 to the company's rejoinder dated 16th July 1963. The contention of Shri Phadke is the same as urged by the company in its rejoinder dated 16th July 1963, which I have noticed earlier and the contention is that because a copy of the company's notice of December 1957 was annexed to the company's written statement in Reference No. 1/1960 as annexure 23A and as by the terms of settlement in Reference No. 1/1960 the pay scales stated in the company's notice of December 1957 were accepted, it necessarily followed that the workmen had also accepted the clause relating to leave as contained in the said notice which I have extracted above. This contention has also been stated in paragraph 3(h) of the written statement which is as follows:—

"It is submitted that in accepting the grades as given in annexure 23A the workmen and the union accepted the terms and conditions including the one pertaining to leave facilities as laid down in the said annexure 23A".

This according to Shri Phadke was the crux of the company's contention.

12. Now, the significant fact to note is that in the terms of settlement entered into by the union in Ref. No. 1/1960 there is no reference at all to this clause relating to leave, nor is there any reference to leave in the ultimate agreement that was arrived at with the union before Shri N. Dandekar, the then Managing Director of the company and signed by Shri Rajagopalaswamy, in finalisation of the terms of settlement reached in Reference No. 1 of 1960. It is also important to note that Ref. No. 1 of 1960 was only with regard to incremental scales and this is also borne out by the statement in page 3 of the company's rejoinder dated 16th July 1963. It is also a significant fact, as pointed out by Shri Chougule for the union, that the company's circular of December 1957 does not anywhere state that the leave referred to therein would be in supersession of existing leaves.

13. Shri Phadke has next stated that the last para of the company's notice dated December 1957 had protected the higher leave facilities, guaranteed to those under the terms of their appointment and that the union in para 2 of its letter dated 14th June 1962 (annexure 4 to the company's written statement under demand No. 2) had asked for the same higher leave for all monthly paid employees. Shri Phadke has argued further that under item No. 7 in annexure 5 the memorandum of settlement dated 29th July 1962—the union had raised the question of disparity in the leave wages of monthly paid staff and that under the terms of settlement it was agreed that this demand along with others would be discussed mutually between the parties; that thereafter there was no agreement but that an agreement was reached on 6th November 1962 limiting the claim with regard to disparity in leave facilities to only 15 monthly paid employees specifically named in the terms of settlement recorded on that demand. (See page 7 of the written statement of the company and annexure 6 thereof) and therefore the dispute was only confined to those 15 workmen. It may, however, be stated that the company's contention that the dispute was only in respect of 15 workmen is not correct and the 15 persons mentioned in the agreement of 6th November 1962 are members of the monthly paid clerical staff and does not include the members of the technical staff for whom also this dispute has been raised. It is clear from the Conciliation Report that the dispute as referred to adjudication is not only limited to clerks but includes the monthly paid mining staff and the technical cadre who have been specifically referred to in terms in the Conciliation Officer's Report.

14. On this point Shri Chougule has urged that the agreement of 29th July 1962 (annexure 6) only provided for the parties to discuss matters and that it did not survive after the discussions were held and no settlement was reached. With regard to the agreement of 6th November 1962 this agreement according to Shri Chougule ceased to have force from 31st December 1962. There is force in this contention of Shri Chougule because item No. 7 of the agreement of 29th July 1962 provided for matters to be discussed mutually between the parties. The terms of settlement on the disparity in leave facilities to monthly paid employees specifically stated as follows:—

“During discussion it was brought out that the disparity complained by the union was in respect of the employees listed below. It was agreed that the management will examine the demand for bringing them on a par with other monthly paid employees governed by the leave rules of the company. To enable the management to examine the case the union agrees to withdraw the dispute at present. The management will communicate final decision by 31st December 1962”.

It is clear that under these terms of settlement the union was withdrawing the dispute “only for the present” and that the management was to communicate its final decision by 31st December 1962, and the management having failed to communicate its decision by that date, that agreement ceased to have any force.

15. The company in paragraph 9 of its written statement has referred to the agreement of 6th November 1962 and has stated that that agreement was still in force and that it was during the subsistence of this agreement that the union raised the dispute demanding removal of disparity in the leave facilities in respect of all workmen and not only the 15 workmen mentioned by name in the agreement of 6th November 1962. But in my opinion Shri Chougule is right when he argued that the management having failed to communicate its final decision by 31st December 1962 the agreement of 6th November 1962 on the demand for disparity in leave facilities to monthly paid employees came to an end and the union could not be held to be bound by that agreement on this subject which it had withdrawn only, “for the present”. It often happens that in settlement of a demand the unions may limit their claim provided the limited claim is accepted within a particular period. On the employer's failure to accept the limited claim within a period that may be specified, it would be open to the union to press its full claim and this is what appears to have happened in this case. I am, therefore, not impressed by Shri Phadke's contention that under the agreements of 29th July 1962 and 6th November 1962 the present dispute should be limited to the claim of the 15 workmen specifically mentioned in the agreement of 6th November 1962. Shri Chougule is right when he says that the company not having communicated its final decision by 31st December 1962 the union was free to press its full demand and that is what it appears to have done and it was this fresh demand that was conciliated upon and which has resulted in the present reference. This is clear from the failure report of the Conciliation Officer dated 7th April 1963.

16. This brings me to the question whether there has been any curtailment of the leave facilities. The onus of proving the curtailment in leave facilities is clearly on the union. Shri Phadke has urged two contentions firstly that there has been no curtailment of leave and secondly assuming that there has been a curtailment, the union has not established that such curtailment was not justified.

17. Shri Chougule in reply has argued that the fact of curtailment of leave for the monthly rated staff is clear from the notice of 28th December 1957 which specified the curtailment and he has in that connection rightly relied upon the language of the notice dated 28th December 1957 on the subject of leave where it is stated:—

“Leave privileges for the categories listed above (whether governed by the company's grades or awarded grades) will be as prescribed by the Mines Act. But the individuals who have been entitled to higher leave privileges in accordance with the terms of appointment would be allowed to retain those facilities.”

Now, it is clear from the language of the notice itself that the categories referred to in the notice for whom new scales of pay were to be fixed were or at least some of them were till then governed by rules other than those prescribed by the Mines Act. There is no running away from the fact that the company had leave rules a printed copy of which is on record as exhibit E-2. These leave facilities were applicable to the monthly rated staff at the works and collieries

of the company and it is not disputed that under such rules the monthly rated employees were entitled to longer leave and better leave privileges than under the Mines Act. The Standing Orders of the company are also on record and it is clear that in applying the Mines Act leave rules by its notice dated 28th December 1957, the company was acting unilaterally and not in conformity with the leave rules in force or in compliance with its standing orders.

18. I am also of the opinion that Shri Chougule is right when he contended that the company's notice of 28th December 1957 was bad in law because no notice of change under Section 9A of the Industrial Disputes Act was given. The notice itself does not anywhere state that the provisions of section 9A were complied with nor does the company's witness EW-1 refer to any notice of change. There is nothing on the record to show that the notice of change was given though the union had in its written statement specifically urged that the change was illegal. The company in none of its three written statements has stated that a notice under Section 9A of the Industrial Disputes Act, 1947, had been given. I think there is substance in this contention of the union and that if a notice of change had been given the company would have referred to it in one of its three written statements filed in this dispute and/or brought it out in the evidence of the company's witness. It is significant that in para 10 of its rejoinder dated 16th July 1963 the company itself has stated that the leave rules were superseded by the notice of 28th December 1957. This surely implies a change, and no such notice could be valid and legal without a notice of change under Section 9A of the Act. The change in the leave rules sought to be made by the company's notice dated 28th December 1957 was a unilateral one and I am quite satisfied that it was illegal.

19. The company has in its written statement dated 26th December 1963 propounded a new theory that the reference applied to only workmen employed prior to 1st January 1957. The reference according to the company is only with regard to new workmen and the union is demanding higher leave facilities. In my opinion this is incorrect because as I have pointed out earlier it is clear that the dispute refers to workmen employed after 1st January 1957 because the notice of 28th December 1957 was clearly to be applicable after 1st January 1957 and it could not possibly apply to workmen before that date. I framed an additional issue because under issue No. 1 the company's interpretation of the term "in relation to the workmen employed after 1st January 1957" was that the notice of 28th December 1957 applied only to workmen employed before 1st January 1957. It was in order to make this clear that I framed the subsequent issue "whether there was any curtailment of leave facilities by the company for the workmen employed after 1st January 1957" and my finding on that issue is in the affirmative. For the reasons already stated I reject the company's contention that this dispute refers to workmen employed before 1st January 1957.

20. I am also not satisfied that the union has demanded higher leave facilities for the workmen. What the union is asking for and has demanded is that the leave facilities which the monthly paid workmen were entitled to under the company's leave rules should be applied and that the company's notice of 28th December 1957 had curtailed the original leave. The union's demand, as rightly urged by Shri Chougule, is not for enhancement of the existing leave but is a demand for restoration of the original leave. The only thing the union is stating is that what the company has called supersession in para 10 of its rejoinder dated 16th July 1963 is really curtailment in respect of employees appointed on monthly rates either by fresh appointment or by converting them from daily to monthly rated after 1st January 1957.

21. The company's case is that there are two sets of letters of appointment as at exhibits E-1 and E-3. Exhibit E-1 consists of eleven specimen forms of letters of appointment. One of the terms contained in these letters of appointment is:—

"You will be eligible to the privilege of leave and provident fund according to the rules of the company".

The other set of letters of appointment Exhibit E-3 (three letters of appointment) states as follows:—

"It is understood that during the period of your probation you will not be entitled to leave of any kind with pay. Of course you will be entitled to 14 days' privilege leave each year according to the Mines Act, 1952, on your confirmation."

This clause appears in two of the three letters of appointment which constitute Exhibit E-4. In the third letter of appointment the condition is different:—

"You will be entitled to benefits of leave subject to your confirmation and according to the Mines Act, 1952."

But according to the union there is a third set of monthly paid employees who were appointed without any letters of appointment. The company's witness EW-1 was questioned about this and he very reluctantly admitted that Sarvashri A. K. Sen, Surti and Agarwal and others were workmen to whom no letters of appointment were issued. To these workmen, who were permanently monthly paid, as admitted by EW-1, the company's leave rules would apply.

22. Shri Chougule has argued and I think rightly, that if there had been no curtailment of leave on 1st January 1957, then on that day the daily rated and weekly paid would have been entitled to leave according to the Mines Act and the monthly paid permanent employees would have been entitled to leave according to the company's leave rules. He then cited the instances of 'A' grade clerks who were appointed on 29th July 1957 and 17th October 1957 and were given leave according to the company's leave rules, whilst the rest of the monthly rated were not so given. He has rightly argued that if the new rules under company's notice became applicable from 28th December 1957 as contended by the company, then such a position would not have arisen.

23. I shall now deal with the evidence of the company's witness, Shri Gajanan Vishnu Joshi (EW-1). He was put in the witness box to prove the company's notice of December 1957 and to depose to the leave conditions that were prevailing prior to that date. He stated in his examination-in-chief that certain employees who had been in enjoyment of higher leave facilities prior to 28th December 1957, had been issued letters of appointment stating that they would be entitled to leave according to the company's leave rules. He produced 11 such letters of appointment as specimens (Ex. E-1 collectively). He stated that after the Mines Act came into force in 1952, employees of the Nowrozabad Colliery who were not issued such letters of appointment, were entitled to leave according to the Mines Act. He stated that after the notice of 28th December 1957, leave was given according to the Mines Act, and that leave facilities according to the company's rules were given to individual employees to whom such letters of appointment were issued and not categorywise. He stated that the company had not given at any time leave facilities according to the company's rules to any daily rated workmen whether paid weekly, fortnightly or monthly; but that prior to the notice of 28th December 1957 there were certain daily rated workmen who were paid monthly. He categorically stated that after 28th December 1957 no employee of any of the categories mentioned in the company's notice of 28th December 1957, whether recruited directly as monthly rated or converted from the daily rated into monthly rated, was ever given leave according to the Company's Leave Rules (Ex. E-2). He stated that employees appointed after 28th December 1957 in any of the categories mentioned in that notice, were given leave according to the provisions of the Mines Act and in support he tendered three such letters of appointments (Ex. E-3). He also tendered a list of 61 employees who, according to him, were the only employees entitled to and were getting the following leaves under the company's rules viz.:—

Privilege Leave:	30 days in the year,
Casual Leave:	7 days in the year,
Sick Leave:	21 days in the year.

According to him this list of 61 employees Ex. (E-4) was exhaustive of the workmen employed prior to 28th December 1957 who were entitled to leave according to the company's leave rules and there had been no diminution or curtailment in their leave rules. He stated that chairman, peons, watchmen, dressers, wardboys, tub-writers, shot-firers and mining sirdars are monthly rated since the coming into force of the Majumdar Award on 26th May 1956 and prior to that they were daily rated. He has stated that certain black-smiths, turners and fitters were always daily rated and are even so today. He stated that certain black-smiths, turners and fitters were issued specific appointment letters fixing their monthly rates of pay and they were shown as serial nos. 28, 40, 41, 42 and 50 in his statement Ex. (E-4).

24. In cross-examination he denied that all employees who were brought on the monthly scales of pay prior to 28th December 1957, were entitled to leave facility under the company's leave rules and stated that only those monthly paid

employees whose letters of appointment stated that they were entitled to the company's leave facilities were given leave according to the company's leave rules. He had, however, to admit that there were two clerks, Sarvashri A. K. Sen and S. S. Das, who were monthly rated prior to 28th December 1957 who were not given leave according to the company's rules because they were not issued letters stating that they would be entitled to leave according to the company's leave rules. He then went on to say that no employee of the company to whom a letter of appointment was not issued specifying the leave to which he was entitled under the company's rule, was entitled to such leave. He was then confronted with the case of Shri P. A. Gokhle, an 'A' grade clerk and he had to admit that he is getting leave according to the company's leave rules. He was then shown the letter of appointment dated 20th July 1957 of the said Shri P. A. Gokhle and he admitted that it did not contain a clause that he would be given leave according to the company's leave rules. He was then questioned about another employee, one Shri P. C. Vachar, also an 'A' grade clerk in Nowrozabad Colliery, and he admitted that he was getting leave according to the company's leave rules. He admitted that the company was not able to produce his letter of appointment though the Union had called upon the company the previous day to produce the same. He could not say whether a letter of appointment had been issued to him. He was then asked whether there were monthly rated employees to whom no letters of appointment are issued and he denied that there were any such. He had, however, to admit that Shri A. K. Sen was not given a letter of appointment when he was taken on the monthly grade. He had also to admit that Sarvashri C. S. Das and R. S. Agarwal (serial Nos. 2 and 4 in the company statement) were also not issued letters of appointment when they were brought on the monthly scales.

25. It will thus be seen that the witness in cross-examination had to admit that two of his statements on this point in his examination-in-chief were incorrect.

26. He was next questioned about the date when effect to the notice of 28th December 1957 regarding leave according to the Mines Act was given, and he stated that it was given effect to from 28th December 1957 and not from 1st January 1957, which was the Union's case. When questioned with regard to the monthly rated employees employed between 1st January 1957 and 28th December 1957 the witness stated that they had not been given the benefit of the Company's leave rules. He had, however, to admit that Sarvashri P. A. Gokhle and P. C. Vachar, who had been employed on monthly rates of pay on 28th July 1957 and 17th October 1957 respectively, had been given the benefits of the company's leave rules. Having made this damaging admission, the witness had some how to find an explanation for this and therefore he added that he remembered that this had happened because these two workmen were told at the time of the interview for appointment that they will get leave according to the company's leave rules. When further pressed, he had to admit that he was not present at the interview, but added that he was then working as Accountant next to the Office Superintendent and that he was aware that these two employees were told that they would get leave under the company's rules. When further questioned he stated that this was not told to him by anybody. He, however, quickly realised that what he was stating could not be believed and therefore stated that he had not understood the previous question and that he had been told this by the Office Superintendent.

27. I may state that I do not accept this evidence of the witness. He was palpably telling an untrue story and his demeanour in the witness box, on which Shri Chougule, commented in his address, did not inspire me to accept him as a witness of truth.

28. He was next questioned about a creche nurse, one Smt. Rukmini Joswal (serial No. 28 in the company's list) who admittedly was appointed on 13th February 1957 as a monthly rated employee and who was admittedly also taken on the muster roll from 13th February 1957. Her letter of appointment also could not be produced though called for by the union on the previous day. Witness had to admit that she also did not get leave according to the company's leave rules, between 13th February 1957 and 28th December 1957 but added that it was so because she was not issued a letter of appointment in the form of Ex. E-1, which contains a clause for grant of leave according to the company's leave rules. But in the absence of the letter of appointment issued to her I cannot accept the witness's statement about her letter of appointment having contained such a clause, specifically when the appointment was made in February 1957, long before the date of the company's notice dated 28th December 1957.

29. Questioned about the reasons for not granting Sarvashri A. K. Sen, S. S. Das, M. D. Murti and R. S. Agarwal, who are admittedly in the company's clerical grade and were permanent employees, leave according to the Company's leave rules, witness stated that each of them prior to 28th December 1957 was getting leave under the Mines Act and they continued to get the same after 28th December 1957. But later when questioned further as to why they had not been issued letters of appointment he took shelter under the excuse that the Head Office of the company at Bombay had not given sanction for issue of letters of appointments in the form of Ex. E-1, granting benefit of company's leave rules, but he, however, could not say what was the reason why sanction was not granted. But he had to admit that some of them had been issued letters stating that they would be governed by the Indian Mines Act regarding their leave. He at first denied that to the other daily rated employees who had been made monthly rated, the company had issued letters of appointment in form Ex. E-1. But thereafter he had to admit that Sarvashri Premlal (Mining Sirdar), Babulal (Blacksmith), Shaikh Karim (Turner), Mohamed Khan (Fitter), Mahadeo (Fitter) and Gokul Prasad (Turbine Driver) were issued letters of appointment in form Ex. E-1, when they were made monthly rated from daily rated and that this was also true with regard to Sarvashri H. S. Gyani and D. L. Chakravarty—both clerks.

30. With regard to how he came to know that the leave provisions of the notice dated 28th December 1957 came into force from 28th December 1957 only and not earlier, though the pay scales prescribed by that notice came into force from 1st January 1957 and though the notice did not state that the leave rules would come into force from 28th December 1957, the witness stated that this was because he remembered it was in force from 28th December 1957.

31. In his cross-examination when questioned as to what was the reason why monthly paid were issued letters of appointment stating that they would be governed by the company's leave rules, he stated that these letters were issued on the recommendation of the Mines Manager, but he could not state what were the reasons for the Mines Manager to make those recommendations. He admitted that the company's certified standing orders for the collieries since they were certified in 1963, apply to all the employees of the company, irrespective of whether they are daily, weekly or monthly paid.

32. He was then questioned and had to admit that there was difference in the leave facilities which different workmen in the same categories got e.g., boiler attendants, compounders, overseers and that though there was no difference in their other conditions of service some of them got leave according to the company's leave rules and some other according to the Mines Act, 1952.

33. He had further to admit that under the company's notice dated 28th December 1957 the rates of wages fixed for Turners, Blacksmiths, Fitters were those prescribed by the Majumdar Award, as amended by the decision of the Labour Appellate Tribunal, which was applicable, and that no revised wage scales were prescribed for them under the notice dated 28th December 1957 or under the agreement in the settlement of Reference No. 1 of 1960. He admitted that some of these Fitters, Turners and Blacksmiths were given leave according to the Company's leave rules, but that according to him this was because the company had issued letters to that effect to those workmen.

34. In his re-examination he clarified that some of the Boiler attendants were given company's leave benefits because their letters of appointment so stated and he offered the same explanation with regard to overmen, blacksmiths, fitters and turners, who already got company's leave benefits. He stated that though Shri P. C. Vachar was appointed on 17th October 1957 he was confirmed on 17th October 1958 and that Shri Gokhle was appointed on 29th July 1957 and confirmed on 29th July 1958.

35. I have carefully considered the evidence of this witness and in my opinion he was a witness whose evidence on material particulars cannot be accepted. He has spoken about matters of which he had no personal knowledge and his evidence with regard to the date when the new leave rules under notice dated 28th December 1957 came into force was clearly false, as also his explanation on the several other matters referred to earlier in the discussion of his evidence. His demeanour did not inspire confidence and I was inclined to think that he was a witness who had come to support a prepared story. I may mention that in earlier adjudications also I had not accepted the oral testimony of this witness.

36. It is admitted that in the company's notice dated 28th December 1957 (as also in the agreement in the settlement of Reference No. 1 of 1960) the scales of

pay for the following categories of employees are specifically stated to be "as per the Award of the All India Industrial Tribunal (Colliery Disputes) as amended by the decision of the Labour Appellate Tribunal." The 12 categories of workmen are the following:—

Mining Sirdars
Shot Firers
Tub checkers
Tub writers
Raising-in-charges
Colliery-in-charges
Traffic-in-charges
Dressers
Ward attendants
Chainman
Peons

Watchmen and
other categories, if any, not included in the above mentioned Company's grades.

37. Now, it is admitted that the employees of these categories in Nowrozabad Colliery were entitled to be paid the scales of wages fixed by the Award of the All India Industrial Tribunal (Colliery Disputes), popularly known as the Majumdar Award, which, as modified by the decision of the Labour Appellate Tribunal, came into force from 29th January 1957. Now, it is admitted that these Mining Sirdars, Shot firers and Tub checkers were monthly paid. The point is that under the Company's notice of 28th December 1957 and the settlement in Ref. No. 1 of 1960, these workmen did not get any higher scales of pay. They were retained in the awarded scales of pay and yet the company's notice of 28th December 1957, they were, as a result of this notice, to get leave as under the Mines Act and not under the Company's leave rules, in spite of the fact there was a clear direction in the Majumdar Award as modified by the Labour Appellate Tribunal's decision (see para 351 of the L.A.T.'s decision) that none of the existing terms of service were to be withdrawn or reduced because of the benefits of the scales of pay and other benefits granted by the Award, but that the workmen were to continue to enjoy the same. This would also be a ground for holding on the merits that the company was not justified in making this change.

38. Therefore, on a careful consideration of the evidence documentary and oral on the record, I answer issue No. 1 in the affirmative and hold on that issue and on the additional issue No. 4 framed by me that there has been curtailment of the leave facilities for the workmen employed after January 1957.

39. Now, with regard to issue No. 2, whether such curtailment was justified, I answer that issue in the negative for the following reasons.

40. First of all it is clear that the leaves granted under the company's leave Rules were substantially higher having admittedly been as follows:—

Privilege leave:	30 days in the year
Casual leave:	7 days in the year
Sick leave:	21 days in the year

whilst under the Mines Act, 1952, the leave at the relevant time was only about 15 days in the year which is the minimum guaranteed under that statute for coal mines. I have, as stated earlier, held that the change in the leave rules was illegal because no notice of change under Section 9A of the Industrial Disputes Act was given and nothing that is illegal could be justified.

41. There is also this additional fact that the reduction of the leave facilities was clearly in breach of the directions contained in the Majumdar Award as modified by the decision of the Labour Appellate Tribunal, which was admittedly applicable on the date the company put up its notice of 28th December 1957 under which the existing better terms and conditions of service were protected. It is established that some of the 12 categories of workmen referred to above, and specifically referred to in the company's notice of 28th December 1957, who were retained in the scales of pay as prescribed by the Majumdar Award as modified by the Labour Appellate Tribunal, were entitled to the higher leave privileges under the company's leave rules to which the monthly rated among them were entitled under the company's leave rules and the company, whilst not granting them any higher pay scales, could never be deemed to be justified in denying

them the higher leave facilities under the company's leave rules to which they were entitled and unilaterally reduce the leave benefits to those under the Mines Act.

42. The Company has sought to justify the reduction by relying on certain information about the leave rules prevailing in two other collieries viz. Birsinghpur and Umaria. The only evidence on the point is statements contained in a telegram from the company's colliery and in a written statement filed by the company which is in the nature of an application of issue of a witness summons on those two collieries which was filed at the far end of the hearing of this dispute. There is no direct evidence on the point to establish the alleged existing leave facilities in those two collieries. There are large number of other collieries in the coalfield in M.P. where the Nowrozabad Colliery is situated and information about the leave facilities in 2 collieries in the neighbourhood of this colliery even if taken as proved would not justify this colliery in curtailing the leave facilities which its monthly paid workmen were formerly getting under the company's own leave rules. The reduction made in the leave facility is substantial and one which has resulted in heavy reduction in the leave facilities till then in force under the company's own leave rules, and before such reduction could be held to be justified—the onus of proving the justification of such reduction being undoubtedly on the company—much stronger evidence than the doubtful evidence tendered by the company was necessary.

43. Shri Chougule has in my opinion rightly argued that the change must be deemed to be unjustified because it was providing different leave conditions for monthly paid employees who were employed prior to 1st January 1957 and those employed thereafter or who were thereafter brought on the rolls of the monthly paid, whilst their conditions of service in all other respects has remained the same. He has in this connection relied upon the observations of the Hon'ble Supreme Court in the case of Rai Bahadur Badri Das and others viz. Industrial Tribunal, Punjab and others (1962 II LLJ page 366), where His Lordship Gajendragadkar J. (now C. J.), in delivering the judgment of the majority of the Bench, had observed as follows:—

"In the instant case all the workmen in the press section are governed by the same conditions of service except the leave facilities, in respect of which alone a distinction was made between workmen employed on or before 1 July 1956 and those employed after that date. Generally, in the matter of providing leave rules, industrial adjudication prefers to have similar conditions of service in the same industry situated in the same region. The fact is that the very same concern provides for better facilities of earned leave to a section of its employees when other terms and conditions of service are the same in respect of both the categories of employees. It is not difficult to imagine that the continuance of these two different provisions in the same concern is likely to lead to dissatisfaction and frustration amongst the new employees. It cannot be denied that the existence of industrial peace and harmony are relevant factors, but their importance should not be unduly exaggerated. If a frivolous demand is made by the employees and it is accompanied by a threat that non-compliance with the demand would lead to industrial disharmony or absence of peace, it would be unreasonable to treat the threat as relevant in deciding the merits of the demand. In this connexion, it is necessary to remember that the continuance of harmonious relations between the employer and his employees is treated as relevant by industrial adjudications, because it leads to more production and thereby has a healthy impact on national economy, and so it is necessary that in dealing with several industrial disputes, industrial adjudication has to bear in mind the effect of its decisions on national economy. In their zest to fight for their respective claims, the parties may choose to ignore the demand of national economy, but industrial adjudication cannot. If the demand is plainly frivolous, it has to be rejected whatever the consequences may be. In the instant case the argument that the continuance of two different provisions would lead to disharmony cannot be treated as frivolous. No reason or justification was shown to make discrimination in regard to leave privileges. Further it was the case of the employer that the leave privileges given to the old employees were too generous or extravagant. Earned leave provided by S-79 of the Factories Act is the minimum statutory leave to which employees are entitled and if the appellants thought it necessary to provide for additional earned leave

to their old employees, there is no reason why there should not be made a similar provision in respect of the new employees as well. Further the financial liability imposed on the employer by the award in respect of leave privileges was not heavy."

44. I may state that in my Award in another industrial dispute Reference No. 29 of 1963 dated 20th September 1963 (Government of India Gazette dated 5th October 1963 pages 3630 to 3633) against another colliery company viz. The West Chirimiri Colliery—I had, with respect, followed this judgment.

45. In my opinion, on the principles laid down by the Hon'ble Supreme Court in the above cited case, it must be held that this action of the management was unjustified as it created different leave conditions for the same class of workmen whose other conditions of service were the same.

46. It was also urged by the management that this Tribunal should not hold that the curtailment was not justified because the question of leave to the colliery employees, is pending consideration before the Wage Board for the Coal Mining Industry in India, of which I happen to be the Chairman. It is urged that as that is an All India enquiry—and also covers this company's Collieries—it would not be right and proper for this dispute to be adjudicated upon when the Wage Board is considering the question. But I am not impressed by this contention. The Wage Board is no doubt considering what should be the proper leave facilities in the Coal Mining Industry in India. But the Wage Board will only make its recommendations and ultimately it would be for the Central Government to make the workmen and the employers in the industry to accept the same. The fact that the Wage Board is considering the question of what should be the proper leave facilities for the Coal Mining Industry does not mean that when an industrial dispute is raised over a curtailment in the leave facilities effected by an employer company in respect of a certain class of its employees, the Tribunal should not adjudicate on that dispute and consider either the legality and or the justifiability of the change. In this dispute I am not called upon to decide what should be the leave facilities for the monthly rated or for any other class of workmen employed in the Nowrozabad Colliery. The only dispute is whether the leave rules of the company should be restored to workmen employed or brought on the monthly muster rolls after 1st January, 1957. An Industrial Tribunal has to adjudicate on an industrial dispute referred to it and as this dispute involves adjudication on whether a particular action taken by an individual employer Company in the past was justified or not, I do not think I would be justified in withholding making my Award on it or withhold deciding its justifiability till the Wage Board submits its recommendations to the Government. The fact that I happen also to be the Chairman of the Coal Wage Board would, in my opinion, make no difference.

47. For these reasons I answer Issue No. 2 in the negative and hold that the curtailment was not justified.

48. This takes me to the third issue of what relief, if any, are these workmen entitled to.

49. The Union has made it clear that it wants this relief only from 1st January, 1963 and not from 1st January, 1957. The company has opposed any relief being granted at all, much less retrospectively. On the question of relief since I have held that there was curtailment of the leave and the curtailment was not justified I think the only fair relief to grant would be to direct that those monthly rated workmen employed in Nowrozabad Colliery after 1957 or who were brought on the monthly pay roll of the colliery after 1st January, 1957 and who have been given leave facilities according to the provisions of the Mines Act, 1952, are entitled to the benefit of the leave facilities as provided in the company's Leave Rules which I have specified earlier and I direct that they shall be entitled to the benefit of those leave facilities from 1st June, 1963. I have fixed this date considering that the order of reference in this dispute is dated 1st May, 1963.

50. I think this is a fit case where an order for costs should be made in favour of the Union and I award Rs. 150/- as costs in favour of the Union to be paid within a month of the date of the publication of this Award in the Official Gazette.

51. I therefore make an Award in terms stated above.

Sd./- SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal, Bombay.
[No. 1/8/63-LR.II.]

ORDERS

New Delhi the 11th January 1965

S.O. 300.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Balihari Colliery of Messrs Balihari Colliery Company (Private) Limited [and their Managing Agents, Messrs Khatau and Company (Private) Limited] Post Office Kasunda, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act:

SCHEDULE

(1) Whether the management of the Balihari Colliery of Messrs Balihari Colliery Company (Private) Limited [and their Managing Agents, Messrs Khatau and Company (Private) Limited], rendered the following workmen idle/or stopped them from their work with effect from the dates shown against their names? If so, whether their action was justified? If not justified, to what relief are the workmen entitled?

Name of the workman	Date from which rendered idle.
1. Shri Degan Ram	12-8-64
2. Shri. Barhan Bhuiya	12-8-64
3. Shri Bhuvaneshwar Bhuiya	12-8-64
4. Shri Rajack Mian	11-8-64
5. Shri Shankar Ram	10-8-64
6. Shri Bideshi Ram	21-8-64
7. Shri Anup Mahato	21-8-64
8. Shri Jagdish Tahakur	21-8-64
9. Shri Jiten Chamar	21-8-64
10. Shri Bharat Mahato	5-9-64

(2) Whether the management of Balihari Colliery of Messrs Balihari Colliery Company (Private) Limited [and their Managing Agents Messrs Khatau and Company (Private) Limited], were justified in stopping from work Shri Ram Khelawar Rauth, Pump Khalasi, with effect from the 27th August, 1964 and keeping Shri Chulhan Sao, Under Ground Trammer, under suspension from the 21st August, 1964 and finally dismissing him from service with effect from the 14th September, 1964? If not, to what relief are the workmen entitled?

[No. 2/124/64-LR. II.]

New Delhi, the 16th January 1965

S.O. 301.—Whereas an industrial dispute exists between the employers in relation to the Jamuria A & B Pits Colliery of M/s. Equitable Coal Co. Ltd., P.O. Dishergarh, Burdwan and their workmen represented by the Colliery Mazdoor Congress, Gorai Mansion, Asansol, in respect of the matters set forth in the application and reproduced in the Schedule hereto annexed;

And, whereas the parties to the said dispute have jointly applied to the Central Government for reference of the said dispute to a tribunal;

And, whereas the Central Government is satisfied that the persons applying for the reference of the said dispute to a tribunal represent the majority of each party to the said dispute;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7-A of the said Act.

SCHEDULE

FORM A

(See Rule 3)

Whereas an industrial dispute exists between M/s. Equitable Coal Co. Ltd. and their workmen represented by the General Secretary, Colliery Mazdoor Congress, Gorai Mansion, G.T. Road, Asansol and it is expedient that the matter specified in the enclosed statement which is connected with or relevant to the dispute should be referred for adjudication by a Tribunal an application is hereby made under Section 10(2) of the Industrial Disputes Act, 1947, that the said dispute should be referred to a Tribunal.

A statement giving the particulars required under Rule 3 of the Industrial Disputes (Central) Rules, 1957, is attached.

Dated the 13th July 1964.

Sd/-

Sd/-

President of the Union.

Signature of the Employer.

Signature of the General

Chief Mining Engineer:

Sd/-

Principal Officer of the Company.

Secretary of the Trade Union.

Statement required under Rule 3 of the Industrial Disputes (Central) Rules, 1957, to accompany the form of application prescribed under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947:—

- (a) Parties to the dispute including the name and address of the establishment or undertaking involved.
 - (1) M/s. Equitable Coal Co. Ltd., (Regd. Office—2, Fairlie Place, Calcutta-1), P.O. Dishergarh, Distt. Burdwan.
 - (2) The General Secretary, Colliery Mazdoor Congress, Gorai Mansion, G.T. Road, Asansol.
- (b) Specific matters in dispute.

As per attached copy of settlement.
- (c) Total number of workmen employed in the undertaking affected.

1662 Approx.
- (d) Estimated number of workmen affected or likely to be affected by the dispute.

1 (one).
- (e) Efforts made by the parties themselves to adjust the dispute.

Discussions between the parties and also in conciliation resulted in a settlement for joint reference under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947.

Sd/-

President

Colliery Mazdoor Congress (Union).

Sd/-

General Secretary,

Colliery Mazdoor Congress (Union).

Sd/-

Signature of the Employer

Chief Mining Engineer:

Principal Officer of the Company.

MEMORANDUM OF SETTLEMENT

Name of the parties:—

Representing Employers.—Shri A. B. Chaudhuri, On behalf of the management of Jamuria A and B Pits Colliery of M/s. Equitable Coal Co. Ltd., P.O. Dishergarh, Distt. Burdwan.

Representing Employees.—Shri J. Panday, General Secretary, Colliery Mazdoor Congress, Gorai Mansion, G.T. Road, Asansol.

SHORT RECITAL OF THE CASE

Shri J. Panday, General Secretary of Colliery Mazdoor Congress (Independent), Gorai Mansion, Asansol raised an industrial dispute *vide* his letter No. CMC/18-B/117, dated 15th May 1964 before the Conciliation Officer (C), Asansol in respect of alleged wrongful dismissal of Shri Magina Choubey, Depot Peon of Jamuria A and B Pits Colliery and requested for intervention in the matter.

The matter was taken up in conciliation to-day, the 30th May, 1964 and during the conciliation proceedings, the parties agreed as under:—

Terms of Settlement

It is agreed by the parties to refer the dispute for joint adjudication under Section 10(2) of the I.D. Act, 1947.

It is agreed further that the terms of reference will be as follows:—

“Whether the dismissal of Shri Magina Choubey, Depot Peon of Jamuria A and B Pits Colliery is justified and if not, to what relief he will be entitled to?”

Sd/- A. B. CHAUDHURI,
Representing Employer
of Jamuria A & B Pits

Colliery.

Witnesses:—

1. Sd/- S. MUKHERJEE.

2. Sd/- G. C. PAUL.

Dated, Asansol, the 30th May, 1964.

Sd/- J. PANDEY,
Representing Employees.
Sd/- X X X

Conciliation Officer (C), Asansol.

[No. 8/104/64-LR.II.]

S.O. 302.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company (Private) Limited, Post Office Khas Jeenagora, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company (Private) Limited in asking Shri Hridaya Singh, Pump Khalasi, to work as a surface trammer with effect from the 9th December, 1963 and subsequently terminating his services with effect from the 26th August, 1964, was justified? If not, to what relief is the workman entitled?

[No. 2/151/64-LR.II.]

S.O. 303.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Pyarchand Modi Ramchandra, Owners of Bhura Mica Mine, P.O. Jhumritelaiya and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Messrs Pyarchand Modi Ramchandra, owners of Bhura Mica Mine, Jhumritelaiya is justified in refusing to employ from the 9th November, 1964, Shri Asho Barhi a carpenter employed in their Bhura Mica Mine? If not, to what relief is the workman entitled?"

[No. 20/17/64-LR.I.]

S.O. 304.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of the Kolar Gold Mining Undertakings and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the demand of the workmen of the Kolar Gold Mining Undertakings for the payment of bonus for the period from the 1st December, 1962, to the 31st March, 1964, is justified and if so, the rate and basis on which the bonus has to be paid?

[No. 24/28/64-L.R.-I.]

New Delhi, the 18th January 1965

S.O. 305.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Orient Colliery of M/s. Central India Coal Fields Ltd., P.O. Brajrajnagar, District Sambalpur, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

1. Whether the management of the Orient Colliery, Brajrajnagar, Sambalpur is justified in refusing to give to Shri Jagjeet Singh, Loading Clerk, the higher scale of Supervisor, Grade I, when he has been performing such duties? If not, to what relief is he entitled?
2. Whether the management of Orient Colliery were justified in refusing lighter job to Shri Jagjeet Singh, Loading Clerk, in the Colliery with effect from 11th August 1964? If not, to what relief is he entitled?

[No. 6/75/64-LR.II.]

S.O. 306.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kari Sugwa Mica Mine of Messrs Chatturam Horilram (Private) Limited, P.O. Jhumritelaiya, District Hazaribagh and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Messrs Chatturam Horilram (Private) Limited in refusing to employ Shri Sadhu Pandey a Darwan in Kari Sugwa Mica Mine from the 29th February, 1964 is justified? If not, to what relief is the workman entitled?

[No. 20/18/64-LRI.]

S.O. 307.—Whereas an industrial dispute exists between Messrs Bikaner Gypsum Limited, Bikaner and their workmen represented by the Gypsum Mine Workers Union, Jamsar Hereinafter referred to as the Union).

And Whereas the said Company and the Union have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to arbitration of the person mentioned therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement, which was received by the Central Government on the 6th January, 1965.

FORM C

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

Name of Parties:

Representing Employers	Shri B.C. Mukherji Resident Manager & Agent, Bikaner Gypsums Ltd., Bikaner.
Representing Workmen	Shri R.C. Shukla, General Secretary, Gypsum Mine Workers Union, Jamsar.

It is hereby agreed between the parties to refer the following Industrial dispute to the Arbitration of Shri A. N. Kaul, Central Government Industrial Tribunal, Delhi.

(i) Specific matters in dispute . . . Whether the dismissals of Shri R.N. Bhatnagar, Supervisor and Shri Sumer Singh Chowkidar, are justified and if not, to what relief they are entitled.

(ii) Details of parties to the dispute including the name and address of the establishment or undertaking involved.

Bikaner Gypsums Limited, Bikaner and Gypsum Mine Workers Union, Jamsar.

In this dispute the establishment involved is Bijaner Gypsums Ltd.

(iii) Name of the Union if any representing.

Gypsum Mine workers Union,
Jamsar.

(iv) Total number of workmen employed in the undertaking involved.

642

(v) Estimated number of workmen affected or likely to be affected by the dispute.

2

Signature of parties

Representing Employers : Sd/-

B.C. MUKHERJI
Resident Manager and Agent,
Bikaner Gypsums Ltd.,
Bikaner.

Representing workmen : Sd/-

R.C. SHUKLA,
General Secretary,
Gypsum Mine Workers Union,
Jamsar.

Bikaner

Dated 20th November, 1964.

Witness (A.K. Mukherjee)

Witness (K. Hariharan)

CONSENT OF THE ARBITRATOR

I hereby consent to be Arbitrator in the matters of dispute above.

Sd/- ANAND NARAIN KAUL
29-12-64.

[F. No. 24/4/65-LRI].

H. C. MANGHANI, Under Secy.

New Delhi, the 13th January 1965

S.O. 308.—In exercise of the powers conferred by sub-section (1) of section 83 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of Labour and Employment No. GSR 975, dated the 11th August, 1960, namely:—

Amendment

In the Schedule annexed to the said notification, after item 11 and the entries relating thereto, the following item and entries shall respectively be inserted, namely:—

“12. Any mine in which seismic survey operations are carried All —”
on by the Oil and Natural Gas Commission for so long
as the operations are confined to seismic survey.

[No. 6/11/64-M.I/Am(12).]

R. C. SAKSENA, Under Secy.

New Delhi, the 14th January 1965

S.O. 309.—PWA/14/Mines/65(i).—In exercise of the powers conferred by sub-section (3) of section 14, read with section 24 of the Payment of Wages Act 1936 (14 of 1936), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 1953, dated the 14th April, 1964:—

In the said notification,—

(1) in item III;

(a) in Serial No. 10 (viii), for the words and brackets, “Shillong (Verification)” the words and brackets “Dibrugarh (Verification)” shall be substituted;

- (b) in Serial No. 10(xv), for the words and brackets, "Cuttack (Verification)", the words and brackets, "Siliguri (Verification)" shall be substituted.

(2) in item V. for the entry against Serial No. 5 the following entry shall be substituted, namely:—

"Junior Labour Inspectors (Central) with headquarters at:—

(i) Katni.

(ii) Parasia."

(3) in item VII, in Serial No. 8, item "(ii)" shall be omitted and items "(iii), (iv), (v) and (vi)" shall be renumbered as "(ii), (iii), (iv) and (v)" respectively.

(4) in item VIII—in Serial No. 5, the following item shall be inserted namely:—

"(xii) Hyderabad (Headquarters)".

[No. 535/51/65-Fac.]

VIDYA PARKASH, Dy. Secy.

New Delhi, the 14th January 1965.

S.O. 310.—In exercise of the powers conferred by sub-sections (1), (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby constitutes a Dock Labour Board for the Port of Madras to be known by the name of the Madras Dock Labour Board and appoints, the following persons as the members thereof, namely:—

Members representing the Central Government :

- (1) Shri T. K. Palaniappan,
Chairman, Madras Port Trust.
- (2) The Regional Labour Commissioner (Central), Madras.
- (3) The Secretary, Madras Port Trust.
- (4) The Assistant Commissioner of Labour,
Government of Madras, Madras.

Members representing the dock workers:

- | | |
|---|--|
| (1) Shri A.S. K. Iyengar | } Representatives of the Madras Harbour
Workers' Union. |
| (2) Shri Kalyani Kumaramangalam | |
| (3) Shri K. Murugesan | |
| (4) Shri S. M. Narayanan | Representative of the Madras Port and
Dock Workers' Congress. |

Members representing the employers of dock workers and shipping companies :

- | | |
|--|--|
| 1) Shri A. B. Anakrishnan | } Representatives of the Madras Stevedores
Association. |
| (2) Shri P. Thandavakrishna Naidu | |
| (3) Shri A. R. Conway | Representative of the Madras Chamber of
Commerce. |
| (4) One representative of the Indian
National Steamship Owners' Association | (To be noticed later.) |

2. The Central Government hereby nominates Shri T. K. Palaniappan, Chairman, Madras Port Trust as the Chairman of the said Board.

[524/21/63-Fac.]

B.R. SETH, Dy. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

New Delhi, the 15th January 1965

S. O. 311.—Statement of the Affairs of the Reserve Bank of India, as on the 8th January, 1965.

BANKING DEPARTMENT

LIABILITIES		Rs.	ASSETS		Rs.
Capital paid up		5,00,00,000	Notes		15,87,41,000
			Rupee Coin		3,44,000
Reserve Fund		80,00,00,000	Small Coin		10,42,000
National Agricultural Credit (Long Term Operations) Fund		86,00,00,000	Bills purchased and discounted:—		
			(a) Internal		..
			(b) External		..
National Agricultural Credit (Stabilisation) Fund		9,00,00,000	(c) Government Treasury Bills		108,39,89,000
			Balances held Abroad*		9,76,36,000
National Industrial Credit (Long Term Operations) Fund		10,00,00,000	Investments**		98,14,44,000
			Loans and Advances to:—		
			(i) Central Government		..
			(ii) State Governments @		43,85,32,000

*Includes Cash and Short-term Securities.

**Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 8th day of January, 1965

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	15,87,41,000		Gold Coin and Bullion :—		
Notes in circulation	2572,52,27,000		(a) Held in India	122,75,21,000	
Total Notes issued		2588,39,68,000	(b) Held outside India	
			Foreign Securities	80,46,59,000	
			TOTAL		203,21,80,000
			Rupee Coin		98,78,37,000
			Government of India Rupee Securities		2286,39,51,000
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		2588,39,68,000	TOTAL ASSETS		2588,39,68,000

Dated the 13th day of January, 1965.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/65.

R. K. SESHADRI, Director (Banking).]

CORRIGENDUM

In the statement of Affairs of the Reserve Bank of India, Banking Department, as on 11th December 1964, published in the Gazette of India dated the 26th December 1964, Part II—Section 3(ii) on page 4880, the heading 'Statement of the Affairs of Reserve Bank of India Banking Department as on the 4th December 1964' read 'Statement of the Affairs of Reserve Bank of India, Banking Department as on the 11th December 1964.'

(Department of Economic Affairs)

New Delhi, the 16th January 1965

S.O. 312.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Coimbatore Varthaka Vridhi Bank Ltd., Coimbatore in respect of the properties held by it at Vellanaipatti Village, Coimbatore District, Madras, till the 15th December 1965.

[No. F. 15(11)-BC/64.]

B. J. HEERJEE, Under Secy.

(Department of Company Affairs and Insurance)

New Delhi the 11th January 1965

S.O. 313.—In pursuance of Rule 3 of the Insurance Claim Board Rules, 1952, the Central Government hereby nominates Shri G. D. Kshetrapal, Joint Secretary, in the Ministry of Rehabilitation, to be a member of the Insurance Claim Board vice Shri S. W. Shiveshwarkar.

[No. F. 60(15)-Ins. I/59.]

S. S. SHARMA, Under Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 23rd January 1965

S.O. 314.—In exercise of the powers conferred by clauses (a) and (b) of section 7 of the Customs Act, 1962 (52 of 1962) and in supersession of the notification of the late Central Board of Revenue, No. 22-Customs dated the 2nd February, 1952, in so far as it relates to Land Customs stations under the jurisdiction of the Collector of Central Excise, Delhi, the Central Government hereby appoints:

- (i) the places specified in column 2 of the Table appended hereto as Land Customs Stations for the clearance of goods imported or to be exported by land or inland water from or to Pakistan or any class of such goods, and
- (ii) the routes specified in column 3 of the said Table mentioned against each of the stations in column 2 thereof as the routes by which alone goods or any class of goods may pass by land or inland water from or to Pakistan.

TABLE

Serial No.	Land Customs Stations	Routes
1	2	3
DELHI		
1	Delhi Railway Station	(a) Delhi-Amritsar-Lahore Rly. Lines. (b) Delhi-Ferozepur-Lahore Rly. Lines.
AMRITSAR DISTRICT		
2	Amritsar Railway Station	Amritsar-Attari-Lahore Rly. Line.
3	Attari Road	Amritsar-Attari-Lahore Road.
4	Attari Railway Station	Amritsar-Attari-Lahore Rly. Line.
5	Khalra	Patti-Khalra-Lahore Road.
FEROZEPUR DISTRICT		
6	Hussainiwala	Ferozepur-Kasur Road.
JODHPUR DIVISION		
7	Barmer Railway Station	Barmer-Gadra Road-Munabao-Khokropar Railway Line.
8	Munabao Railway Station	Barmer-Gadra Road-Munabao-Khokropar Railway Line.

[No. 12 F No. 2/6/62-L.C.I.]

S.O. 315.—In exercise of the powers conferred by clauses (a) and (b) of section 7 of the Customs Act, 1962 (52 of 1962) and in supersession of the notification of the late Central Board of Revenue No. 22-Customs dated the 2nd February, 1952, in so far as it relates to Land Customs stations under the jurisdiction of the Collector of Central Excise, West Bengal, Calcutta, the Central Government hereby appoints—

- (i) the places specified in column 2 of the Table appended hereto as land customs stations for the clearance of goods imported or to be exported by land or inland water from or to Pakistan or any class of such goods, and
- (ii) the routes specified in column 3 of the said Table mentioned against each of the stations in column 2 thereof as the routes by which alone goods or any class of goods may pass by land or inland water from or to Pakistan.

TABLE

Serial No.	Land Customs Stations	Routes
1	2	3
WEST DINAJPUR DISTRICT		
1 Hilli (West)		(a) The main road leading from Hilli through the railway level crossing on the northern side of the Hilli Railway Station to Ghoraghat in East Pakistan. (b) That portion of the road from Panchbibi to Boulder in East Pakistan which passes through Basudevpur (Dakshinpara Hilli) and Hindu Mission of Hilli (West) in Indian Union.
2 Radhikapur Rly. Station		(a) The Katihar-Parbatipur Railway line passing through Radhikapur. (b) The main road leading from Kaliaganj passing to Dinajpur through Gotgaon.
3 Dangi		The main road leading from Bahurghat to Chowghat in East Pakistan via Kalaibari.
4 Kukradah		Road (partly metalled and partly kutcha), leading from Kukradah to Bhadreswari (via Jagdol in Pakistan).
5 Moraghati (Patagorah)		Unmetalled road leading from Moraghat to Ruha Aluakhoa (Pakistan).
MALDA DISTRICT		
6 Singabad Rly. Station		The Katihar-Godagari section of the North Eastern Railway passing through Singabad.
7 Kotwaligate (Mohedipur)		Road from English Bazar to Kansat under Shibganj police station in East Pakistan on the English Bazar-Shibganj road.
PURNEA DISTRICT		
8 Katihar Rly. Station		(a) Katihā-Parbatipur Rly. line. (b) Katihar-Godagari Rly. line.
MURSHIDABAD DISTRICT		
9 Lalgolaghat.		The riverine routes originating from Lalgolaghat to Premtali in East Pakistan via Kanapara across the river Padma.
NADIA DISTRICT		
10 Gede Rly. Station		The Scaldah-Gede-Poradah Rly. line.

24—PARGANAS DISTRICT

- 11 Bongaon Rly. Station The Railway line passing through Bongaon Railway station to East Pakistan *via* Petrapol Railway Station.
- 12 Petrapol Rly. Station The Calcutta-Khulna Rly. line passing through Petrapol.
- 13 Petrapol Road. The portion of Calcutta-Jessore road passing through Petrapol road to East Pakistan.
- 14 Jalalpur The river route from Jalalpur to East Pakistan across the river Ichamati.
- 15 Haanabad That portion of the river Katakhal which falls into the Indian Union portion of the river Ichamati and passes to Satkhira sub-division in East Pakistan.
- 16 Hingalganj. The river route from Hingalganj to Basantapur in East Pakistan across the river Ichamati.
- 17 Naihati Rly. Station (a) The Sealdah-Paradah Rly. line passing through Gede Rly. Stations and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) The Sealdah-Lalgola Rly. line.
- 18 Namkhana The inland waterway from the junction of Katakhal, channel creek and Namkhana to Satkhira sub-division in East Pakistan across the river Raimangal *via* Terobanki and Beharikhal.
- 19 Ghojadanga That portion of the main road from Itinda to Ghojadanga which passes to Satkhira *via* Bhomra in East Pakistan.
- 20 Budge Budge (a) Budge Budge-Sealdah-Darasana Rly. line passing through Gede Rly. Station.
(b) Budge Budge-Sealdah-Khulna Rly. line passing through Bongaon Rly. Station.
(c) The inland waterway from Budge Budge to East Pakistan *via* Beharikhal.

HOWRAH AND CALCUTTA AREA

- 21 Ultadanga Rly. Station (a) The Sealdah-Paradah Rly. line passing through Gede Rly. Station and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) Sealdah-Lalgola Rly. line.
- 22 Sealdah Rly. Station (a) The Sealdah-Paradah Rly. line passing through Gede Rly. station and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) The Sealdah-Lalgola Rly. line.
- 23 Howrah Rly. Station (a) The Sealdah-Paradh Rly. line passing through Gede Rly. Station and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) All railway routes to Western Pakistan
- 24 Cossipore Rly. Station & Cossipore Hydraulic Press Ghat. (a) The Sealdah-Paradah Rly. line passing through Gede Rly. Station and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) The Sealdah-Lalgola Rly. line.
(c) The river routes from Calcutta to East Pakistan *via* Beharikhal.

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|----|---|--|
| 25 | Chitpur Rly. Station & Dhaniaghat River Station. | (a) The Sealdah-Poradah Rly. line passing through Gede Rly. Station and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) The Sealdah-Lalgola Rly. line.
(c) River routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 26 | Saheb bazar Rly. Station | (a) The Sealdah-Poradah Rly. line passing through Gede Rly. Station and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) The Sealdah-Lalgola Rly. line. |
| 27 | Rathtola Rly. Station | (a) The Sealdah-Poradah Rly. line passing through Gede Rly. Station and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) The Sealdah-Lalgola Rly. line. |
| 28 | Nimtola Steamer Station and Rly. Station and Katgolaghat. | (a) The Sealdah-Poradah Rly. line passing through Gede Rly. Station and the Calcutta-Khulna Rly. line passing through Bongaon.
(b) The Sealdah-Lalgola Rly. line.
(c) The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 29 | Jagannathghat Steamer Station & Rajaghat | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 30 | Baghbazar Rly. Station | (a) The Sealdah-Poradah Rly. line passing through Gede Rly. Station and Calcutta-Khulna Rly. line passing through Bongaon.
(b) The Sealdah-Lalgola Rly. line. |
| 31 | Armenian and Kulpighat Steamer Station | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 32 | T.T.Shed (Kidderpore) | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 33 | Union South Jute Mill Shed | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 34 | Kantapukur Rly. Station | The Sealdah-Poradah Rly. line passing through Gede Rly. Station and the Calcutta-Khulna Rly. line passing through Bongaon. |
| 35 | Bengal River Service Godown (next to Nimtolaghat). | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 36 | (a) No. 4 Calcutta Jetties }
(b) No. 6 Calcutta Jetties. } | The river routes from Calcutta to East Pakistan <i>via</i> Namkhana. |
| 37 | Shalimar Coal Depot. . . . | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 38 | Howrah Coal Depot. . . . | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 39 | Government Salt Gola, Salkia. . . . | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 40 | Pathuriaghat | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 41 | Bandaghat & Moraporaghat | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 42 | Hanuman Jute Press Ghat & Panditghat | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |
| 43 | Surinamghat | The river routes from Calcutta to East Pakistan <i>via</i> Beharikhah. |

COOCH BEHAR DISTRICT

- | | | |
|----|-------------------------------|---|
| 44 | Gitaldah Rly. Station | Gitaldah-Mogalhat Rly. line. |
| 45 | Gitaldah Road | The main road leading from Gitaldah to Mogalhat in East Pakistan across the Dharla river. |

46	Gitaldah river	The river routes from Gitaldah to Mogalha in East Pakistan across Dharla river and the portion of river between Gitaldah and the Bhorampayasthi.
47	Haldibari Rly. Station	Haldibari-Chilhati Rly. line.
48	Chengrabandha Rly. Station	Chengrabandha-Burimari Rly. line.
49	Bamanhat Rly. Station	Bamanhat-Sonahat Rly. line.
50	Bamanhat Road	The main road leading from Bamanhat to Balarhat in Fulbari Police Station in East Pakistan via Chowdhurihat in Indian Union.

[No. 13/F. No. 2/6/62-LCI.]

S.O. 316 In exercise of the powers conferred by clauses (a) and (b) of section 7 of the Customs Act, 1962 (52 of 1962) and in supersession of the notification of the late Central Board of Revenue, No. 22-Customs dated the 2nd February, 1952, in so far as it relates to Land Customs Stations under the jurisdiction of the Collector of Central Excise, Baroda, the Central Government hereby appoints—

- (i) the places specified in column 2 of the Table appended hereto as Land Customs Stations for the clearance of goods imported or to be exported by land or inland water from or to Pakistan or any class of such goods, and
- (ii) the routes specified in column 3 of the said Table mentioned against each of the stations^s in column 2 thereof as the routes by which alone goods or any class of goods may pass by land or inland water from or to Pakistan.

TABLE

Sl. No. 1	Land Customs Stations 2	Routes 3
1.	Khavda Naka	Road from Diplo to Khavda
2.	Lakhpat	Road leading from Jatti and Bajnadini to Lakhpat.
3.	Assara Naka	Via Assara Naka.
4.	Suigam Naka	Via Suigam Naka.
5.	Santalpur Naka	Via Santalpur Naka.

[No. 14/F. No. 2/6/62-LCI.]

S.O. 317 In exercise of the powers conferred by clauses (a) and (b) of section 7 of the Customs Act, 1962 (52 of 1962) and in supersession of the notification of the late Central Board of Revenue, No. 22-Customs dated the 2nd February, 1952, in so far as it relates to Land Customs Stations under the jurisdiction of the Collector of Central Excise, Shillong, the Central Government hereby appoints—

- (i) the places specified in column 2 of the Table appended hereto as Land Customs Stations for the clearance of goods imported or to be exported by land or inland water from or to Pakistan or any class of such goods, and
- (ii) the routes specified in column 3 of the said Table mentioned against each of the stations in column 2 thereof as the routes by which alone goods or any class of goods may pass by land or inland water from or to Pakistan.

TABLE

Sl. No. 1	Land Customs Stations 2	Routes 3
GOALPARA DISTRICT		
1.	Golakganj Railway Station	(a) Railway line from Golakganj to Sonahat Railway Station. (b) Road from Village Kanuri (District Goalpara, India) to village Banurkuthi (District Rangpur, East Pakistan).

1	2	3
2.	Dhubri Steamerghat	Dhubri-Rahumari-Bahadurabad Section of the Steamer route on the river Brahmaputra.

GARO HILLS DISTRICT

3.	Manikarchar	(a) Kalo river from the approach of Tura road to the Jinjiram river. (b) Tura-Rahumari Road.
4.	Dalu	(a) Bhugai river. (b) Dalu-Nahtabari Road.
5.	Baghmara	(a) Someshwari river. (b) Baghmara-Durgapur Road.
6.	Mahendraganj	(a) Road from Mahendraganj Police Station to Dhanua-Kamalpur (Pakistan). (b) Road from Mahendraganj Police Station to the river Jinjiram, and (c) the river Jinjiram.

UNITED KHASI & JAINTA HILLS DISTRICT

7.	Shella Bazar	(a) Shella river. (b) Iechhamati River.
8.	Bholaganj	(a) Dholai river. (b) P.W.D. bridle path from Bholaganj to Companyganj. (c) Komorrah-Chhatak Ropeway. (d) Darogakhai river. (e) Sonai river. (f) Duba Channel. (g) Dear Valley.
9.	Dawki	(a) Piyain river. (b) Shillong-Sylhet road.
10.	Borsora	(a) Borsora (India)—Tahirpur via Borsora (Pakistan) dumping place. (b) Trolly track from Cherragaon quarry (India) to Cherragaon (Pakistan) dumping ground in Pakistan. (c) Trolly track from Chalitacherra quarry (India) to Samsar Bil in Pakistan. (d) Trolly track from Gauripur (India) quarry to Samsar Bil in Pakistan. (e) Jadukata River.

KAMRUP DISTRICT

11.	Gauhati Steamerghat	Rahumari-Dhubri-Gauhati Section of the Steamer route on the river Brahmaputra.
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SIBSAGAR DISTRICT

12.	Neamoti Steamer Ghat	Rahumari-Dhubri-Gauhati-Neamoti Section of the Steamer route on the river Brahmaputra.
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DARRANG DISTRICT

13.	Tezpur Steamer Ghat	River Brahmaputra via Dhubri-ghat (India) to the point the river enters Pakistan.
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CACHAR DISTRICT

14.	Silchar Steamerghat	Fenchuganj-Silchar Section of the Steamer route on the river Barak.
15.	Karimganj Railway Station	Karimganj-Kulaura Railway line.

1	2	3
16.	Karimganj Steamer Ghat	(a) Kusiara river.
17.	Karimganj Ferry Station	(b) Surma river.
18.	Sutarkandi	(c) Longai river.
19.	Mahisasan Railway Station	Sylhet-Karimganj Trunk Road.
20.	Kukital	Railway line from Karimganj to Latu Railway Station.
		Patharkandi-Juri Road.

MIZO HILLS DISTRICT.

21.	Demagiri	Karnaphuli river.
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TRIPURA

22.	Agartala	The road between Agartala and Akhaura Road Police Out-Post.
23.	Muhurighat	(a) The river Muhari up to Muhari Ghat.
		(b) The road from Muharighat leading Belonia Railway Station.
24.	Srimantapur	(a) The river Gumti.
		(b) Udaipur-Cornilla road.
25.	Dhalaighat	(a) The river Dhalai from Halhali to Dhalai checking Station.
		(b) The road from Halhali to Kamalpur.
26.	Khowaighat	(a) The river Khowai from Teliamara to Khowai-ghat.
		(b) The road from Kalyanpur to Khowaighat.

[No. 15/F. No. 2/6/62-LCI.]

G. P. DURAIRAJ, Dy. Secy.